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SUMMARIES OF THE NAMED PLAINTIFFS' INVOLVEMENT WITH TRUANCY COURT

JEREMY BOWEN: Jeremy Bowen is a 14-year-old student in the 9th grade at Westerly High School. He has special educational needs that he has worked hard to overcome. In the fall of 2009, he had difficulty with his schoolwork and often did not do it. In response, Westerly school officials referred him to Truancy Court. They asked that he be adjudicated “wayward” because he had missed two days of school and had been between five and ten minutes late to school on five separate occasions. Westerly’s Truant Officer later confirmed to Jeremy’s mother that school officials had referred him, not because they considered him a habitual truant, but because of his difficulty with his schoolwork.

CHENOA T.: Chenoa is a 16-year-old student in the 10th grade at North Providence High School. She has special educational and medical needs and takes medication that has severe side effects. During the 2006-07 school year, while attending middle school in South Kingstown, she missed several days of school because of those side effects. South Kingstown school officials referred her to Truancy Court. Although she has attended school regularly since then, she continued to be monitored by the Truancy Court until a Truancy Court Magistrate learned that she had decided to be a plaintiff in this lawsuit.

ALIN N.: Alin is a 13-year student at the Nathanael Greene Middle School in Providence, Rhode Island. He has sickle cell anemia, a disorder that is distinguished by bouts of extreme pain. When he is in such pain, he takes morphine and Tylenol with codeine and cannot attend school. He is frequently hospitalized. In the fall of 2009, Providence school officials referred him to Truancy Court. A Truancy Court Magistrate then transferred his case to Family Court. In February 2010, Alin’s mother, Bethany, appeared before the Family Court’s Chief Justice Jeremiah S. Jeremiah. Alin could not attend the hearing because he was in pain at home. Without looking at any of Alin’s medical documents, Judge Jeremiah issued a warrant for Alin’s arrest and stated that if Alin was not in school by noon that day, he would be detained and his mother jailed. Frantic, Bethany sent Alin to school. Shortly after he arrived, his medical condition deteriorated to such an extent that school officials called an ambulance and had him transferred to a local hospital.

MARGARITA S.: Margarita is a 14-year student in the 9th grade at Coventry High School. Shortly after she was diagnosed with special educational needs in the fall of 2008, Coventry school officials referred Margarita to Truancy Court. They asked that she be adjudicated “wayward” because she had been absent 14 days during that fall and 12 days during the 2007-08 school year. All absences were due to illness. When Margarita’s grandmother and legal guardian appeared in Truancy Court in connection with that referral, she asked the Truancy Court Magistrate why Margarita was just now being charged with truancy for absences that had occurred during a prior academic year. The Magistrate responded that Coventry school officials could have charged Margarita with truancy for absences as far back as kindergarten.

MARCELL B.: Marcell is 16 years old with special educational needs that make it difficult for him to pay attention in class and do class work and homework. Until October 2009, he attended Cumberland High School. In the fall of 2009, Marcell's mother was working with Cumberland school officials to devise a plan to keep Marcell in school. Without any prior warning, those same school officials referred Marcell to the Truancy Court and then to the Family Court's Drug Diversion program. Marcell has never been charged with illegal drug use and school officials never reported to his mother that they suspected him of using drugs. Family Court and school officials agreed to drop the Truancy Court petition and the drug diversion program referral when Marcell dropped out of school.

DENTON AND MITCH S.: Denton and Mitch S. are 15 and 14 years old respectively. They are currently being home schooled. North Providence school officials referred both of them to Truancy Court twice, once in February 2008 and a second time in the summer of 2008. The first time they were referred, school officials alleged that each had between three to four weeks of absences. The second time they were referred so that a Truancy Court Magistrate could monitor their grades and behavior. During their involvement with the Truancy Court, Magistrates yelled at them, bullied them, referred them to the Department of Children, Youth and Families in an effort to intimidate them, and threatened to remove the boys from their home and jail their parents.

DYLAN HALL: Dylan Hall is a 16-year-old student at Cumberland High School. He has special educational needs that make it difficult for him to pay attention in class and do his schoolwork. Because he sometimes skips classes, Cumberland school officials referred him to Truancy Court. A Truancy Court Magistrate attempted to humiliate Dylan into going to class by ordering his father to go to school with him for a week and follow him around from class to class. The Magistrate issued the order despite the fact that Dylan's father had never been charged with any wrongdoing and the Court had no jurisdiction over him.

AMY H.: Amy is 14-years old and in the 9th grade at Coventry High School. She lives with her mother and a 4-year old brother. In the fall of 2009, her mother worked the night shift from 11 pm to 7 am as a nursing assistant. Amy took care of the 4 year old until her mother returned home. Because of these caretaking responsibilities, Amy frequently arrived at school late. In November 2009, a Truancy Court Magistrate ordered Amy's mother to leave her job 10 minutes early each morning so that Amy would not be tardy. As a result of this order, Amy's mother lost 40 minutes of pay each week. In February, she lost her job. She is the primary breadwinner in her family.

HEATHER A.: Heather A. is a 14-year-old 7th grader at Woonsocket Middle School. She has learning difficulties that Woonsocket school officials have refused to address. Because she often feels overwhelmed with class and homework, she frequently misses school. Instead of providing her with the support and services that she needs to succeed, Woonsocket school officials referred her to the Truancy Court on three separate occasions. To compel her to attend school, Truancy Court Magistrates repeatedly threatened to place her in foster care and to jail her mother who is currently battling stomach cancer.

Further details on the named plaintiffs can be found in the affidavits attached to Plaintiffs' Motion for a Preliminary Injunction.