
Judiciary Committee

HB 1477

Title: An act relating to providing flexibility for how school districts address truancy of students.

Brief Description: Providing flexibility for how school districts address truancy of students.

Sponsors: Representatives Magendanz, Pedersen, Dahlquist, Lytton, Hargrove, Fagan, Santos and Nealey.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Modifies truancy petition and other requirements that apply to schools and school districts in responding to students who have unexcused absences.
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Hearing Date: 2/5/13

Staff: Edie Adams (786-7180).

Background:

State law regarding school attendance requires children 8 to 17 years old to attend public schools unless they fall within certain exceptions. If a parent enrolls a 6- or 7-year-old child in school, the child is required to attend school and the parent is responsible for ensuring the child attends.

Duties of Schools and School Districts.

When a child who is over age 7 and required to attend school has unexcused absences, the school must provide notice and request a conference with the parent, and take other steps to eliminate or reduce the child's absences. The following specific actions are imposed on schools and school districts:

- After one unexcused absence in one month, the school must inform parents in writing or by phone of potential consequences of continuing absences.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- After two unexcused absences in one month, the school must schedule a conference with the parents and take steps to reduce absences.
- After five unexcused absences in a month, the district must enter into an attendance agreement with the student and parent, refer the student to a community truancy board, or file a truancy petition with the court.
- After seven unexcused absences in a month or 10 unexcused absences in a year, the district must file a truancy petition with the court if the student is under the age of 17, and may file the petition for a student who is 17 years of age.

Similar requirements apply to 6- and 7-year-old children who are enrolled in school, although the school district is not required to take specific action after the fifth unexcused absence in a month.

Truancy Petitions.

A truancy petition is filed in juvenile court and may be filed against the child, the parent, or both. Truancy petitions regarding 6- and 7-year-old students are filed against the parent. Upon receipt of a truancy petition, the court must either schedule a hearing on the petition or refer the case to a community truancy board. If the court finds the student to be truant, the court may order the student to attend school, change schools, or appear before a community truancy board. If the student continues to be truant, the school or the court may file a contempt of court motion and various sanctions may be imposed, including detention or community service. Throughout the process, students and their families may be referred to other services.

Summary of Bill:

The requirements that a school provide notice, schedule conferences, and take other steps when a student over age 7 has one or two unexcused absences in a month are limited to students in the sixth grade or above. Schools may take these actions for students in the fifth grade or below. A school may provide notice of an unexcused absence to a parent by electronic mail, and may conduct parent conferences concerning unexcused absences by telephone or in person.

The duties of a school district in responding to a student who has five or more unexcused absences are made discretionary rather than mandatory. A school district may, but is not required to: take certain steps when a student has five unexcused absences in a month; and file a truancy petition after seven unexcused absences in a month or 10 unexcused absences in a year.

The duties of a school and a school district when a 6- or 7-year-old child has unexcused absences are made discretionary rather than mandatory, except that the school district must still file a truancy petition against the parent of a 6- or 7-year-old child who has seven unexcused absences in a month or 10 unexcused absences in a year.

Appropriation: None.

Fiscal Note: Requested on February 1, 2013.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.