H-4420.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SUBSTITUTE HOUSE BILL 2848**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 65th Legislature 2018 Regular Session**

**By** House Education (originally sponsored by Representatives Orwall, Kilduff, Jinkins, Rodne, Goodman, Appleton, Haler, Kagi, Eslick, and Slatter)

AN ACT Relating to school and court processes to promote attendance and reduce truancy; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 43.185C RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) The legislature continues to recognize, as it has in recent legislation, that school attendance really matters, and that poor school attendance can have far-reaching effects on academic performance and achievement, development of social skills and school engagement, dropout rates, and even college completion rates. In light of recent reports and recommendations that have been received by the legislature as a result of that legislation, from the educational opportunity gap oversight and accountability committee and from the Washington state center for court research, the legislature intends to make certain changes to enhance the court-based and school-based efforts to promote attendance and reduce truancy.

(2)(a) The legislature finds that the educational opportunity gap oversight and accountability committee reviewed community truancy board training materials and the Washington assessment of the risks and needs of students to develop recommendations, required by chapter 205, Laws of 2016, related to:

(i) The cultural competency training that community truancy board members, as well as others involved in the truancy process, should receive;

(ii) Best practices for supporting and facilitating parent and community involvement and outreach; and

(iii) The cultural relevance of the assessments employed to identify barriers to attendance and the treatments and tools provided to children and their families.

(b) The legislature recognizes that some of the recommendations can be implemented without legislative action and that, for example, there is ongoing work with respect to the Washington assessment of the risks and needs of students tool and other assessment tools that should address recommendations made in these regards. Other recommendations, meanwhile, require legislative action. At this time, the legislature intends to require the development of a model policy and recommendations for best practices related to community truancy boards, including training recommendations for school board members, and ways to leverage community support and engagement, and to encourage school districts to adopt a community truancy board policy.

(3) The legislature finds that the Washington state center for court research has issued the inaugural detention report in response to chapter 205, Laws of 2016, which shows a clear difference between counties with respect to the use of detention for nonoffender matters, including for truancy, and further shows that in many cases detention for nonoffender matters is being served in juvenile detention facilities. The legislature further finds that chapter 291, Laws of 2017, imposed restrictions upon the use of detention, providing that only if a child fails to comply with a court order issued in a truancy matter, and the court tries other measures to secure compliance, and the court makes a finding that other measures to secure compliance have been tried but not been successful, and no less restrictive alternative is available, may the court order detention. In the future, the legislature intends to further restrict the use of, or end altogether, detention in nonoffender matters such as truancy. At this time, the legislature intends, subject to the availability of funds, to provide for more therapeutic secure crisis residential centers that are accessible and available for use by all counties, but particularly those counties that appear from the detention report to frequently use detention for nonoffender matters such as truancy.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.345 RCW to read as follows:

(1) By December 1, 2018, the Washington state school directors' association, in consultation with the office of the superintendent of public instruction, the administrative office of the courts, and the state truancy task force, must develop a model policy and recommend best practices related to community truancy boards.

(a) The model policy must include training recommendations appropriate for school board members related to their responsibilities and governing role supporting community truancy boards, and to other prevention and intervention systems related to truancy. The model policy must be posted on the association's web site, and updated periodically.

(b) The recommendations must include best practices for: Entering into a memorandum of understanding with a juvenile court; interacting and communicating with the community truancy board, for example whether school board members should attend a community truancy board meeting annually; identifying community truancy board members to achieve diversity of experience; and leveraging community support and engagement in the process.

(2) By the beginning of the 2019-20 school year, school districts are encouraged to adopt and make available online a community truancy board policy that is consistent with the model policy developed under subsection (1) of this section.

NEW SECTION. **Sec.**  A new section is added to chapter 43.185C RCW to read as follows:

Subject to the availability of funds, the office of homeless youth prevention and protection must, in collaboration with the Washington association of juvenile court administrators, and with data provided by the Washington state center for court research, regionally site secure crisis residential centers that meet therapeutic standards so as to make these centers accessible and available for use by all counties. The initial focus must be on those counties that appear from the detention report to frequently use detention for nonoffender matters such as truancy and which do not have secure crisis residential centers that meet therapeutic standards within geographic proximity.

**--- END ---**