

SENATE BILL REPORT

SB 6519

As of January 18, 1996

Title: An act relating to school attendance.

Brief Description: Changing truancy provisions.

Sponsors: Senators McAuliffe, Long, Kohl, Drew and Winsley.

Brief History:

Committee Activity: Education: 1/19/96.

SENATE COMMITTEE ON EDUCATION

Staff: Leslie Goldstein (786-7424)

Background: Legislation was passed during the 1995 legislative session changing the compulsory attendance laws. Starting with the 1995-96 school year, school districts are required to file petitions with the courts if students have five unexcused absences in one month or ten unexcused absences in one year.

In 1995, the Governor vetoed sections of a bill which would have required compliance with compulsory attendance laws as a condition for obtaining a driver's license. In the veto message, the Governor urged that a work group be formed to develop recommendations regarding compulsory attendance and truancy. During the past interim, work groups from the Senate and House met jointly to study the issue of truancy and develop recommendations. Issues raised included the effect of the requirement to file petitions on school districts and courts; changes in truancy rates; definitions of unexcused absence; the age of compulsory attendance; the time needed to work with a student to reduce unexcused absences; and how the petition process was working in different counties.

As of November 1995, truancy petitions had been filed in 23 counties for a statewide total of 571 petitions.

Summary of Bill: The requirements for both schools and courts in enforcing the compulsory attendance laws are modified.

Age of Compulsory Attendance: The age when students can leave school if certain conditions are met is raised from 15 to 16. Students under 18 can no longer leave school simply because they complete the first nine grades. Students under 18 who are gainfully employed can only leave school with parental consent or if the student is emancipated.

School's Duty to Notify Parents and Hold Conference: School districts must inform parents of the consequences of an unexcused absence. The required conference after the second unexcused absence may be conducted without the parent, but the parent must be notified.

Steps Taken to Reduce Absences: In addition to required steps to reduce absences, schools may require the student to attend an alternative school or program.

Definition of Unexcused Absence: An unexcused absence means not meeting a school district's definition of an excused absence and failing to attend the majority of hours or periods in a school day or failing to meet a more restrictive school attendance policy.

Filing Petitions: After five unexcused absences in a month or ten in a year, the school district must either: (a) file a truancy petition; (b) enter into an agreement with the student and parent establishing attendance requirements; or (c) refer the student to a community truancy board or other board. If the district chooses to enter into an agreement or use a community truancy board, the district must file a petition within five school days if the agreement is broken.

A truancy action is a civil action. School districts, at the discretion of the court, may be represented by a person other than an attorney. The court may hold an initial hearing without requiring the district, child, or parent to be represented by legal counsel.

Court's Duties: The court must schedule a hearing when a petition is filed. The administrator for the courts must report to the Legislature annually on the number of petitions filed and the number of contempt orders issued.

School District Reports: Reporting requirements for school districts are simplified, eliminating requirements to report the number of excused and unexcused absences, the steps taken after an unexcused absence, the steps taken after an unexcused absence, the steps taken to reduce absences, and the disposition of cases by the court.

Incentive Program For Alternative Schools: A grant program is created to provide incentives for districts to plan and develop alternative schools or programs.

Appropriation: None.

Fiscal Note: Requested on January 15, 1996

Effective Date: Ninety days after adjournment of session in which bill is passed.