

FINAL BILL REPORT

ESSB 5293

FULL VETO

Synopsis as Enacted

Brief Description: Concerning court-based and school-based efforts to promote attendance and reduce truancy.

Sponsors: Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Darneille and Chase).

Senate Committee on Human Services, Mental Health & Housing
House Committee on Judiciary
House Committee on Appropriations

Background: Children aged 8-17 are required to attend public school unless an exception applies allowing for the child to attend private school, receive home-based instruction, or other circumstances. Public schools are required to take steps to reduce truancy. Legally mandated steps include:

- informing parents by telephone or written notice after one unexcused absence;
- scheduling a conference with the parent and child after two unexcused absences within a month;
- entering an agreement with the student and parent concerning school attendance not later than the fifth unexcused absence; and
- filing a truancy petition with juvenile court not later than the seventh unexcused absence within a month or tenth unexcused absence in a year.

A truancy petition must be initially stayed by the juvenile court. The child and parent must be referred to a community truancy board (CTB). A CTB is a board composed of members of the local community in which a child attends school. A CTB is established pursuant to a memorandum of understanding between the juvenile court and a school district. All members of a CTB must receive training in the following areas: identification of barriers to school attendance, the use of the Washington Assessment of Risks and Needs of Students (WARNS) or other assessment tools to identify child needs, trauma-informed approaches to discipline, evidence-based treatments effective in supporting at-risk youth and their families, and specific services and treatment available in the area and elsewhere. The duties of a CTB include identifying barriers to school attendance, recommending methods to improve attendance, suggesting alternative schools or education programs, and recommending referrals to HOPE Centers or crisis residential centers (CRCs). All school districts with at least 200 students must have a CTB by the start of the 2017-2018 school year. Smaller

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districts may use other coordinated means of intervention described in a memorandum of understanding with juvenile court.

The WARNS is an assessment tool designed by researchers at Washington State University to identify youths at risk of truancy, delinquency, and dropping out of school. It is designed for use by high school and middle school students. A school district's obligation to take data-informed steps to reduce a child's absences includes application of the WARNS.

A CRC is a short-term, semi-secure or secure facility for runaway youth and adolescents in conflict with their families. Counselors at CRCs work with the family to resolve the immediate conflict and develop better ways of dealing with conflict in the future. A HOPE Center provides temporary residential placement and other services for street youth. Youths may self-refer to a HOPE Center for services. HOPE Centers are not secure facilities.

Summary: A public school may use an assessment tool such as the WARNS to fulfill its obligation to take data-informed steps to reduce a child's unexcused absences, instead of the WARNS. The use of an assessment tool must take place at some point after the second and no later than the fifth unexcused absence in a month or tenth unexcused absence in a year. For any child with an existing individual education plan (IEP) or 504 plan, steps to reduce absences must include the convening of the team to consider the reasons for the absences. If a child who is reasonably believed to have a mental or physical disability or impairment does not have an IEP or 504 plan, the parent must be informed of the right to request a plan.

A CTB must include members who receive training in required areas, but not all members need to be trained in these areas. The list of required training areas is expanded to include culturally responsive interactions. A CTB may recommend to juvenile court that a juvenile be offered the opportunity for placement in a HOPE center or CRC.

A juvenile court's authority to place a child in a CRC or HOPE bed at an initial truancy petition hearing is removed. If a child fails to comply with a truancy order from juvenile court, the court may impose community restitution, nonresidential programs with intensive wraparound services, or other services or interventions that the court deems appropriate. If the child continues to fail to comply with the court order and the court makes a finding that other measures to secure compliance have been tried but have been unsuccessful and no less restrictive alternative is available, the court may order the child to be subject to detention.

A school district must include as a part of its annual truancy report to OSPI information describing each instance of imposition of detention for failure to comply with a court order relating to truancy laws with a statement of the reasons for each instance of detention.

School districts must identify their designated person to coordinate truancy efforts to OSPI. School districts must use the standard choice transfer form for releasing a student to a nonresident school district for the purposes of accessing an alternative learning experience program. A 1996 statute allowing the Superintendent of Public Instruction to allocate funds for CTBs is repealed.

Votes on Final Passage:

Senate	34	15
House	80	17