

HOUSE BILL ANALYSIS

HB 1818

Title: An act relating to school attendance.

Brief Description: Changing truancy provisions.

Sponsors: Representatives Clements, Quall, Talcott, Carlson, Keiser and Carrell.

HOUSE COMMITTEE ON EDUCATION

Meeting Date: February 18, 1999.

Bill Analysis Prepared by: Charlie Gavigan (786-7340).

Background: The compulsory attendance law requires children at least 8 years old and under 18 years old to attend public school unless the child is receiving home-based instruction, is attending an approved private school, is attending an education center, is excused by the school district, or is 16 years old and is emancipated.

If a child has the responsibility but fails to attend school without justification, the school must take certain actions, including notifying the parent, scheduling a parent conference, and other steps to reduce the child's absences. If the efforts of the school and the parents do not reduce the child's absences, the school district must file a truancy petition with the juvenile court no later than the seventh unexcused absence in a month or the 10th unexcused absence during a school year. The petition may be filed against the child, the parent, or both. If the juvenile court schedules a hearing on the petition, it must notify the child and the parent that the hearing will take place, that the child and parent can present evidence at the hearing, and that the child and parent have options under the Family Reconciliation Act.

If the court finds that actions of the school district have not reduced the child's absences and that court intervention is necessary to reduce the absences, the court must grant the petition and assume jurisdiction over the child for the remainder of the school year. The court may order the child to attend school or an alternative school or education program.

Public schools must provide access to a basic education for children beginning at age 5 (age 3 for special education) through age 20.

School districts may contract with alternative educational service providers to provide services to eligible students. These service providers include other schools,

alternative educational service programs not operated by the school district, education centers, skills centers, dropout prevention programs, and other public and private organizations. Eligible students include students who are likely to be expelled, present disciplinary problems, or are academically at risk.

Summary of Bill: The parent of a child aged 6 or 7 who has enrolled the child in the public school has the responsibility of ensuring the child attends for the full time the school is in session unless the child is enrolled part-time in a public school for the purpose of receiving ancillary services. It is not clear whether the truancy provisions apply to a 6 or 7 year old who enrolls in a public school; truancy petitions only apply to children who have the responsibility to attend school.

Clarification is made that school districts determine who represents them at truancy petition hearings unless a court specifically requires otherwise.

The Superintendent of Public Instruction, to the extent funds are available, provides start-up grants for alternative programs and services that provide instruction for truant, at-risk, and expelled children. The grant applications must contain proposed performance indicators and an evaluation plan to measure the success of the program, and the applicant's plan for maintaining the program and services after the grant period.

The Superintendent of Public Instruction, if funds are appropriated, is to contract for an evaluation to be done by the Institute of Public Policy or a similar agency. The evaluation examines the effectiveness of the petition process and community truancy boards in reducing truancy, how children who have been subject to court action for truancy do when they return to school, and the costs imposed on school districts by the truancy provisions. The cost analysis is to be submitted to the appropriate committees in the legislature by December 15, 1999, and the rest of the evaluation is to be submitted by December 15, 2000.

Appropriation: None.

Fiscal Note: Requested on February 10, 1999.

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