**1113-S AMH HATA H1208.1 - NOT FOR FLOOR USE**

**SHB 1113** - H AMD **339**

By Representative Harris-Talley

**ADOPTED 03/03/2021**

On page 1, after line 6, insert the following:

"NEW SECTION. **Sec.**  (1) The legislature acknowledges that student absences from school can be an indicator that the academic and social-emotional needs of the students are not being met in the public school or classroom or through the school culture or climate. Student absences can also signal to educators that families may need additional information and assistance in supporting student learning within the home.

(2) The legislature finds that as research and public awareness grows about the impact of school climate and culture on the academic and social-emotional experiences of students, the systems of public education must shift away from enforcing punitive, compliance-focused policies and toward enabling constructive, student-centered practices. The legislature further finds that a student-centered system of public education serves the individual needs of students with strong family engagement and through integrated supports provided by the state, public schools, and the greater community.

(3) Therefore, the legislature intends to refocus the attendance policies and practices of the public education system to emphasize individualized student and family supports that are culturally responsive, evidence-informed, and show promising practice for integrating multiple systems of support to effectively improve consistent student attendance at school and family engagement in student learning.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.225 RCW to read as follows:

The office of the superintendent of public instruction shall develop and publish best practice guidance to eliminate or reduce student absences and to otherwise implement the requirements of this chapter. The guidance must focus on student and family engagement, be based in restorative justice practices, and emphasize integration of student and family support systems. The guidance must be developed in consultation with the educational opportunity gap oversight and accountability committee and updated periodically."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 2, line 31, after "child's" strike "fifth" and insert "seventh"

On page 2, line 31, after "absence" insert "within any month"

On page 3, after line 2, insert the following:

"**Sec.**  RCW 28A.225.030 and 2017 c 291 s 6 are each amended to read as follows:

(1) If a child under the age of seventeen is required to attend school under RCW 28A.225.010 and if the actions taken by a school district under RCW 28A.225.020 are not successful in substantially reducing an enrolled student's absences from public school, ((~~not later than the~~)) after the child's seventh unexcused absence ((~~by a child~~)) within any month during the current school year ((~~or~~)) and not later than the ((~~tenth~~)) 15th unexcused absence during the current school year the school district shall file a petition and supporting affidavit for a civil action with the juvenile court alleging a violation of RCW 28A.225.010: (a) By the parent; (b) by the child; or (c) by the parent and the child. The petition must include a list of all interventions that have been attempted as set forth in RCW 28A.225.020, include a copy of any previous truancy assessment completed by the child's current school district, the history of approved best practices intervention or research-based intervention previously provided to the child by the child's current school district, and a copy of the most recent truancy information document provided to the parent, pursuant to RCW 28A.225.005. Except as provided in this subsection, no additional documents need be filed with the petition. Nothing in this subsection requires court jurisdiction to terminate when a child turns seventeen or precludes a school district from filing a petition for a child that is seventeen years of age.

(2) The district shall not later than the ((~~fifth~~)) seventh unexcused absence in a month:

(a) Enter into an agreement with a student and parent that establishes school attendance requirements;

(b) Refer a student to a community truancy board as defined in RCW 28A.225.025. The community truancy board shall enter into an agreement with the student and parent that establishes school attendance requirements and take other appropriate actions to reduce the child's absences; or

(c) File a petition under subsection (1) of this section.

(3) The petition may be filed by a school district employee who is not an attorney.

(4) If the school district fails to file a petition under this section, the parent of a child with ((~~five~~)) seven or more unexcused absences in any month during the current school year or upon the ((~~tenth~~)) 15th unexcused absence during the current school year may file a petition with the juvenile court alleging a violation of RCW 28A.225.010.

(5) Petitions filed under this section may be served by certified mail, return receipt requested. If such service is unsuccessful, or the return receipt is not signed by the addressee, personal service is required.

**Sec.**  RCW 28A.225.151 and 2017 c 291 s 7 are each amended to read as follows:

(1) As required under subsection (2) of this section, the office of superintendent of public instruction shall collect and school districts shall submit student-level truancy data in order to allow a better understanding of actions taken under RCW 28A.225.030. The office shall prepare an annual report to the legislature by December 15th of each year.

(2) The reports under subsection (1) of this section shall include, disaggregated by student group:

(a) The number of enrolled students and the number of unexcused absences;

(b) The number of enrolled students with ((~~ten~~)) 15 or more unexcused absences in a school year or ((~~five~~)) seven or more unexcused absences in a month during a school year;

(c) A description of any programs or schools developed to serve students who have had ((~~five~~)) seven or more unexcused absences in a month or ((~~ten~~)) 15 in a year including information about the number of students in the program or school and the number of unexcused absences of students during and after participation in the program. The school district shall also describe any placements in an approved private nonsectarian school or program or certified program under a court order under RCW 28A.225.090;

(d) The number of petitions filed by a school district with the juvenile court and, beginning in the 2018-19 school year, whether the petition results in:

(i) Referral to a community truancy board;

(ii) Other coordinated means of intervention;

(iii) A hearing in the juvenile court; or

(iv) Other less restrictive disposition (e.g., change of placement, home school, alternative learning experience, residential treatment); and

(e) Each instance of imposition of detention for failure to comply with a court order under RCW 28A.225.090, with a statement of the reasons for each instance of detention.

(3) A report required under this section shall not disclose the name or other identification of a child or parent.

(4) The K-12 data governance group shall develop the data protocols and guidance for school districts in the collection of data to provide a clearer understanding of actions taken under RCW 28A.225.030."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, line 9, after "child's" strike "fifth" and insert "seventh"

On page 3, line 28, after "than the" strike "fifth" and insert "((~~fifth~~)) seventh"

On page 4, line 2, after "with" strike "five" and insert "((~~five~~)) seven"

On page 4, line 24, after "year or" strike "five" and insert "((~~five~~)) seven"

On page 4, line 27, after "had" strike "five" and insert "((~~five~~)) seven"

On page 5, line 36, after "before the" strike "fifth" and insert "((~~fifth~~)) seventh"

Beginning on page 14, line 27, strike all of section 11

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 19, beginning on line 11, strike all of sections 13, 14, and 15 and insert the following:

"NEW SECTION. **Sec.**  Sections 1 through 6 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

NEW SECTION. **Sec.**  Sections 5 and 6 of this act expire August 1, 2021.

NEW SECTION. **Sec.**  Sections 7 through 15 of this act take effect August 1, 2021."

Correct the title.

EFFECT: Makes the following changes to the substitute bill:

(1) Adds an intent section.

(2) Directs the Office of the Superintendent of Public Instruction to develop, in consultation with the Educational Opportunity Gap Oversight and Accountability Committee, best practice guidance to eliminate or reduce student absences.

(3) Requires that this guidance focus on student and family engagement, be based in restorative justice practices, and emphasize integration of student and family support systems.

(4) Changes "five unexcused absences" and "fifth unexcused absence," to "seven unexcused absences" and "seventh unexcused absence" throughout the bill.

(5) Revises effective date provisions so that the term "community truancy board" is changed to "community engagement board" on August 1, 2021, rather than immediately.

(6) Makes language describing the truancy petition filing thresholds consistent between student age groups.