
Judiciary Committee

ESB 5983

Title: An act relating to notice in truancy matters.

Brief Description: Requiring juvenile courts to provide truancy hearing notice using the court's resources.

Sponsors: Senators Stevens and Hargrove.

Brief Summary of Engrossed Bill
<ul style="list-style-type: none">Requires the court, when a hearing on a truancy petition is scheduled, to provide required notices "directly and using its own resources."

Hearing Date: 3/20/07

Staff: Edie Adams (786-7180).

Background:

State law regarding school attendance requires children ages eight to 17 years to attend public schools unless they fall within certain exceptions, such as attending private school, receiving home-based instruction, or when the child is 16 years old and meets other specified criteria.

When a child who is required to attend a public school has unexcused absences, the school district must take steps to eliminate or reduce the child's absences and must also notify and request a conference with the parent. After five unexcused absences in one month the school district must either: enter into a school attendance agreement with the student and parent; refer the student to a community truancy board; or file a truancy petition requesting court intervention or supervision. 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 tenth unexcused absence during a school year. The petition may be filed against the child, the parent, or both. A parent may file a truancy petition if the school district does not file a petition after five unexcused absences in one month or after 10 unexcused absences in a school year.

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A truancy petition is filed in juvenile court. The petition may be served by certified mail, return receipt requested, but if this method of service fails, the petition must be personally served. Upon receipt of a truancy petition, the court must either schedule a hearing on the petition or refer the case to a community truancy board.

When a juvenile court hearing is held on a truancy petition, the court is required to separately notify the child, the parent of the child, and the school district of the hearing; notify the parent and child of their rights to present evidence at the hearing; and notify the parent and the child of the options and rights available under the Family Reconciliation Act.

Summary of Bill:

The provision governing notice requirements for truancy petition hearings is amended to require the notices to be provided when the hearing is scheduled and to provide that the court must provide the required notices "directly and using its own resources."

Appropriation: None.

Fiscal Note: Requested on March 14, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.