
Judiciary Committee

HB 1243

Title: An act relating to providing flexibility for how school districts address truancy of students.

Brief Description: Providing flexibility for how school districts address truancy of students.

Sponsors: Representatives Muri, Hargrove, Magendanz and Lytton.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Modifies, and makes discretionary, some of a school district's responsibilities with respect to truancy.

Hearing Date: 1/19/16

Staff: Cece Clynch (786-7195).

Background:

Children 8 years of age and under 18 years of age are required to attend public school unless they fall within certain exceptions, such as attending private school or receiving home-based instruction. If a parent enrolls a 6- or 7-year-old child in school, the child is required to attend school and the parent is responsible for ensuring the child attends.

Duties of Schools and School Districts.

When a child who is 8 years of age and older and required to attend school has unexcused absences, the school must provide notice and request a conference with the parent, and take other steps to eliminate or reduce the child's absences. The following specific actions are required of schools and school districts:

1. After one unexcused absence in one month, the school must inform parents in writing or by phone of potential consequences of continued absences.
2. After two unexcused absences in one month, the school must schedule a conference with the parents and take steps to reduce absences.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

3. After five unexcused absences in one month, the district must enter into an attendance agreement with the student and parent, refer the student to a community truancy board, or file a truancy petition with the court.
4. After seven unexcused absences in one month or 10 unexcused absences in a year, the district must file a truancy petition with the court if the student is under the age of 17. A petition may be filed with respect to a student who is 17 years of age.

Similar requirements are in place with respect to 6- and 7-year-old children who are enrolled in school, except that the third step set forth above does not apply.

Truancy Petitions.

A truancy petition is filed in juvenile court and may be filed against the child, the parent, or both. Truancy petitions regarding 6- and 7-year-old students are filed against the parent. 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. If the court finds the student to be truant, the court may order the student to attend school, change schools, or appear before a community truancy board. If the student continues to be truant, the school or the court may file a contempt of court motion and various sanctions may be imposed, including detention or community service. Throughout the process, students and their families may be referred to other services.

Summary of Bill:

The requirements that a school provide notice, schedule conferences, and take other steps when a student has one or two unexcused absences in a month are limited to students in the sixth grade or above. Schools may take these actions for students in the fifth grade or below, but are not required to do so. A school may provide notice of an unexcused absence to a parent by electronic mail, and may conduct parent conferences concerning unexcused absences by telephone or in person.

The duties of a school district with respect to a student who has multiple unexcused absences are made discretionary rather than mandatory:

- After five unexcused absences in one month, the district *may* enter into an attendance agreement with the student and parent, refer the student to a community truancy board, or file a truancy petition with the court.
- After seven unexcused absences in one month or 10 unexcused absences in a year, the district *may* file a truancy petition with the court.

Appropriation: None.

Fiscal Note: Available.

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