
Judiciary Committee

HB 3058

Title: An act relating to truancy and juvenile court petitions.

Brief Description: Regarding truancy and juvenile court petitions.

Sponsors: Representative Appleton.

Brief Summary of Bill

- Eliminates certain truancy petition and other requirements for school districts when a student has a designated number of unexcused absences.
- Requires schools to collaborate with the community truancy board on implementation of research-based diversion programs shown to reduce truancy rates.
- Amends the 2009-11 operating budget in fiscal year 2011 by eliminating a \$1.8 million State General Fund appropriation provided for school districts for truancy petitions, and making an appropriation in the same amount for school districts to provide diversion and other activities to eliminate or reduce truancy.

Hearing Date: 1/27/10

Staff: Edie Adams (786-7180).

Background:

State law regarding school attendance requires children 8 to 17-years-old to attend public schools unless they fall within certain exceptions. 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 required to attend school has unexcused absences, the school 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

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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.

Truancy Petitions.

A truancy petition is filed in juvenile court. 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.

Community Truancy Boards.

Community truancy boards may be formed by the juvenile court or by the school district and provide a mechanism to divert the student from the court system. Community truancy boards are composed of members of the local community and representatives of the courts and schools. Truancy boards attempt to determine methods for improving the student's attendance through meetings with the parent, child, and school.

Truancy Petition Costs for School Districts.

In February of 2009 the Washington State Institute for Public Policy (WSIPP) issued a report entitled *Washington Truancy Laws: School District Implementation and Costs*. The WSIPP estimates that school districts spent \$2.7 million for truancy petition costs in the 2007-08 school year. This figure is based on almost 15,000 truancy petitions filed at an estimated statewide average cost of \$183 per truancy case. This figure does not include indirect or overhead costs such as staff time dedicated to telephone calls and conferences. The 2009-11 operating budget appropriated \$1.8 million per year to school districts for the purpose of filing truancy petitions. The Office of Superintendent of Public Instruction disburses this money to school districts based on the number of petitions filed.

Summary of Bill:

Schools are required to collaborate with the community truancy board on the ongoing implementation of research-based diversion programs shown to reduce truancy rates.

The actions required by a school district when a student has five unexcused absences in a month are removed. The requirement that a school district file a truancy petition when a student has seven unexcused absences in a month or ten in a year is eliminated and instead the school district must:

- enter into a school attendance agreement with the student and parent;
- refer the student to a community truancy board, if available. The truancy board must enter into a school attendance agreement with the student and the parent and take other appropriate actions, including the use of truancy diversion and school re-engagement programs.

The 2009-11 operating budget is amended in fiscal year 2011 to:

- eliminate a \$1.8 million appropriation provided solely for school districts for petitions to juvenile court for truant students; and
- make a \$1.8 million appropriation provided solely for school districts to provide diversion and other activities to eliminate or reduce truancy.

Appropriation: None.

Fiscal Note: Requested.

Effective Date: July 1, 2010.