
HOUSE BILL 2259

State of Washington 58th Legislature 2003 Regular Session

By Representatives Sommers, Fromhold and Moeller

Read first time 04/16/2003. Referred to Committee on Appropriations.

1 AN ACT Relating to compulsory school attendance; amending RCW
2 28A.225.015, 28A.225.020, 28A.225.025, and 28A.225.030; repealing RCW
3 28A.225.151; providing an effective date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.225.015 and 1999 c 319 s 6 are each amended to
6 read as follows:

7 (1) If a parent enrolls a child who is six or seven years of age in
8 a public school, the child is required to attend and that parent has
9 the responsibility to ensure the child attends for the full time that
10 school is in session. An exception shall be made to this requirement
11 for children whose parents formally remove them from enrollment if the
12 child is less than eight years old and a petition has not been filed
13 against the parent under subsection (3) of this section. The
14 requirement to attend school under this subsection does not apply to a
15 child enrolled in a public school part-time for the purpose of
16 receiving ancillary services. A child required to attend school under
17 this subsection may be temporarily excused upon the request of his or
18 her parent for purposes agreed upon by the school district and parent.

1 (2) If a six or seven year-old child is required to attend public
2 school under subsection (1) of this section and that child has
3 unexcused absences, the public school in which the child is enrolled
4 shall:

5 (a) Inform the child's custodial parent, parents, or guardian by a
6 notice in writing or by telephone whenever the child has failed to
7 attend school after one unexcused absence within any month during the
8 current school year;

9 (b) Request a conference or conferences with the custodial parent,
10 parents, or guardian and child at a time reasonably convenient for all
11 persons included for the purpose of analyzing the causes of the child's
12 absences after two unexcused absences within any month during the
13 current school year. If a regularly scheduled parent-teacher
14 conference day is to take place within thirty days of the second
15 unexcused absence, then the school district may schedule this
16 conference on that day; and

17 (c) Take steps to eliminate or reduce the child's absences. These
18 steps shall include, where appropriate, adjusting the child's school
19 program or school or course assignment, providing more individualized
20 or remedial instruction, offering assistance in enrolling the child in
21 available alternative schools or programs, or assisting the parent or
22 child to obtain supplementary services that may help eliminate or
23 ameliorate the cause or causes for the absence from school.

24 (3) If a child required to attend public school under subsection
25 (1) of this section has (~~seven~~) five unexcused absences in a month or
26 ten unexcused absences in a school year, the school district (~~shall~~)
27 may file a petition for civil action as provided in RCW 28A.225.035
28 against the parent of the child provided that the local juvenile court
29 has designated within available resources a court, truancy board, or
30 other entity for processing such actions.

31 (4) This section does not require a six or seven year old child to
32 enroll in a public or private school or to receive home-based
33 instruction. This section only applies to six or seven year old
34 children whose parents enroll them full time in public school and do
35 not formally remove them from enrollment as provided in subsection (1)
36 of this section.

1 **Sec. 2.** RCW 28A.225.020 and 1999 c 319 s 1 are each amended to
2 read as follows:

3 (1) If a child required to attend school under RCW 28A.225.010
4 fails to attend school without valid justification, the public school
5 in which the child is enrolled shall:

6 (a) Inform the child's custodial parent, parents, or guardian by a
7 notice in writing or by telephone whenever the child has failed to
8 attend school after one unexcused absence within any month during the
9 current school year. School officials shall inform the parent of the
10 potential consequences of additional unexcused absences;

11 (b) Schedule a conference or conferences with the custodial parent,
12 parents, or guardian and child at a time reasonably convenient for all
13 persons included for the purpose of analyzing the causes of the child's
14 absences after two unexcused absences within any month during the
15 current school year. If a regularly scheduled parent-teacher
16 conference day is to take place within thirty days of the second
17 unexcused absence, then the school district may schedule this
18 conference on that day; and

19 (c) Take steps to eliminate or reduce the child's absences. These
20 steps shall include, where appropriate, adjusting the child's school
21 program or school or course assignment, providing more individualized
22 or remedial instruction, providing appropriate vocational courses or
23 work experience, (~~referring the child to a community truancy board, if~~
24 ~~available,~~) requiring the child to attend an alternative school or
25 program, or assisting the parent or child to obtain supplementary
26 services that might eliminate or ameliorate the cause or causes for the
27 absence from school and may include referring the child to a community
28 truancy board. If the child's parent does not attend the scheduled
29 conference, the conference may be conducted with the student and school
30 official. However, the parent shall be notified of the steps to be
31 taken to eliminate or reduce the child's absence.

32 (2) For purposes of this chapter, an "unexcused absence" means that
33 a child:

34 (a) Has failed to attend the majority of hours or periods in an
35 average school day or has failed to comply with a more restrictive
36 school district policy; and

37 (b) Has failed to meet the school district's policy for excused
38 absences.

1 (3) If a child transfers from one school district to another during
2 the school year, the receiving school or school district shall include
3 the unexcused absences accumulated at the previous school or from the
4 previous school district for purposes of this section, RCW 28A.225.030,
5 and 28A.225.015.

6 **Sec. 3.** RCW 28A.225.025 and 1999 c 319 s 5 are each amended to
7 read as follows:

8 For purposes of this chapter, "community truancy board" means a
9 board composed of members of the local community in which the child
10 attends school. Juvenile courts may establish and operate community
11 truancy boards. If the juvenile court and the school district agree,
12 a school district may establish and operate a community truancy board
13 under the jurisdiction of the juvenile court. Juvenile courts may
14 create a community truancy board or may use other entities that exist
15 or are created, such as diversion units. However, a diversion unit or
16 other existing entity must agree before it is used as a truancy board.
17 Duties of a community truancy board (~~((shall))~~) may include(~~(, but not be~~
18 ~~limited to,))~~) recommending methods for improving school attendance such
19 as assisting the parent or the child to obtain supplementary services
20 that might eliminate or ameliorate the causes for the absences or
21 suggesting to the school district that the child enroll in another
22 school, an alternative education program, an education center, a skill
23 center, a dropout prevention program, or another public or private
24 educational program.

25 **Sec. 4.** RCW 28A.225.030 and 1999 c 319 s 2 are each amended to
26 read as follows:

27 (1) If a child is required to attend school under RCW 28A.225.010
28 and if the actions taken by a school district under RCW 28A.225.020 are
29 not successful in substantially reducing an enrolled student's absences
30 from public school, (~~((not later than the seventh))~~) on or after the
31 fifth unexcused absence by a child within any month during the current
32 school year or (~~((not later than))~~) on or after the tenth unexcused
33 absence during the current school year the school district (~~((shall))~~)
34 may, provided that the local juvenile court has designated within
35 available funds a court, truancy board, or other entity for processing
36 such actions, file a petition and supporting affidavit for a civil

1 action with the juvenile court alleging a violation of RCW 28A.225.010:
2 (a) By the parent; (b) by the child; or (c) by the parent and the
3 child. Except as provided in this subsection, no additional documents
4 need be filed with the petition.

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

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

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

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

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

17 ~~((4))~~ (3) If the school district ~~((fails to))~~ does not file a
18 petition under this section, the parent of a child with five or more
19 unexcused absences in any month during the current school year or upon
20 the tenth unexcused absence during the current school year may,
21 provided that the local juvenile court has designated within available
22 funds a court, truancy board, or other entity for processing such
23 actions, file a petition with the juvenile court alleging a violation
24 of RCW 28A.225.010.

25 ~~((5))~~ (4) Petitions filed under this section may be served by
26 certified mail, return receipt requested. If such service is
27 unsuccessful, or the return receipt is not signed by the addressee,
28 personal service is required.

29 NEW SECTION. Sec. 5. RCW 28A.225.151 (Reports) and 1996 c 134 s
30 5 & 1995 c 312 s 72 are each repealed.

31 NEW SECTION. Sec. 6. This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the
33 state government and its existing public institutions, and takes effect
34 July 1, 2003.

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