

# HOUSE BILL REPORT

## SHB 1708

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### As Passed Legislature

**Title:** An act relating to dropout prevention.

**Brief Description:** Regarding dropout prevention.

**Sponsors:** By House Committee on Education (originally sponsored by Representatives Lovick, Quall, Dickerson, Cox, Haigh, Kenney, McDermott, O'Brien, Sells, B. Sullivan, Appleton, Simpson, Kagi, Darneille, Morrell, Green, P. Sullivan, Ormsby, McCoy, Chase and Moeller).

**Brief History:**

**Committee Activity:**

Education: 2/14/05, 2/15/05 [DPS].

**Floor Activity:**

Passed House: 3/7/05, 98-0.

Senate Amended.

Passed Senate: 4/15/05, 48-0.

House Refuses to Concur.

Senate Amended.

Passed Senate: 4/20/05, 47-0.

House Refuses to Concur.

Senate Amended.

Passed Senate: 4/22/05, 44-0.

House Concurred.

Passed House: 4/23/05, 91-0.

Passed Legislature.

### Brief Summary of Substitute Bill

- Directs the Office of the Superintendent of Public Instruction (OSPI) to review, evaluate, and report to the Legislature regarding dropout prevention programs.
- Expands the grade range for which school districts must report dropout data by including grades seven and eight with grades nine through 12.
- Permits an accredited public tribal college to participate in the Running Start Program.

- Directs the OSPI to convene a work group to evaluate implementation of the Becca Bill and to review various laws and rules related to school attendance, truancy, and dropout.
- Requires a report to the Legislature, the Governor, and the State Board of Education by January 2006.

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## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Quall, Chair; P. Sullivan, Vice Chair; Talcott, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Curtis, Haigh, Hunter, McDermott, Santos, Shabro and Tom.

**Staff:** Sydney Forrester (786-7120).

### **Background:**

#### Dropout Definitions

Dropouts typically are defined as students who leave school before graduating from high school with a diploma, but there is no universally accepted definition for the term *dropout*. For purposes of state statistics, dropouts are defined as students who leave high school without a regular diploma and do not transfer to another school. Under this definition, students who continue beyond their senior year in order to complete graduation requirements are not dropouts. Likewise, students who participate in GED preparation courses also are not dropouts if they re-enter school to complete graduation requirements before turning 21 years of age.

Under the No Child Left Behind Act of 2001 (NCLB), on-time graduation rates are an additional indicator of adequate yearly progress (AYP). Graduation rates under the NCLB, however, can reflect only the "percentage of students who graduate from secondary school with a regular diploma in the standard number of years." Under this definition, students who continue beyond their senior year and earn a diploma before turning age 21 still are counted as dropouts.

#### Washington's Graduation Rate Goals

The A+ Commission is authorized, but not required, to establish dropout reduction and graduation rate goals for students in grades seven through 12. Goals must be established by rule, and require legislative review prior to adoption.

The current graduation rate goals established by the A+ Commission were adopted in 2003 and apply only to schools serving 30 or more high school students. For each of the years 2004 through 2013, the graduation rate goal is the lesser of: (a) the statewide average graduation rate for the class of 2002 (approximately 66 percent); or (b) the school's own 2003 graduation

rate plus one percentage point annually. In 2014, the graduation rate goal for all high schools is 85 percent, and this goal applies to all subgroups defined in the NCLB.

At its December 2004 meeting, the A+ Commission considered the establishment of dropout reduction goals for grades seven and eight, but elected to postpone action on this issue until it can be determined whether the data reporting capabilities for seventh and eighth grade students are sufficiently in place. At its February 2005 meeting the Commission established proposed revisions to high school graduation rate goals, and recently requested to schedule legislative review of those proposed revisions.

#### School District Reporting and Graduation and Dropout Statistics

School districts are required to report annually to the SPI regarding the number of high school students who drop out in each of the grades nine through 12, including the dropout rates of students according to ethnicity, gender, socioeconomic status, and disability status. Districts also report regarding the causes and reasons attributed to dropping out as reported by students.

In the 2002-03 school year, an estimated 7 percent of all high school students dropped out of school. Of the 2003 graduating class cohort (those students who entered grade nine in 1999), approximately 24 percent dropped out before graduating, and another 10 percent still were enrolled at the end of 12th grade. The on-time graduation rate for Washington high school students in 2003 was approximately 66 percent.

#### Dropout Prevention Programs

The strategies for dropout prevention can be organized into two general categories: comprehensive school improvement and reform programs, and targeted programs focused at reaching students who are at risk of dropping out.

#### Compulsory School Attendance

State law regarding school attendance requires children ages eight to 17 years to attend public schools unless they:

- (1) attend state-approved private schools;
- (2) receive home-based instruction;
- (3) attend a state-approved education center;
- (4) are excused by the school district superintendent under certain circumstances; or
- (5) are 16 years old and meet other specified criteria.

Children six and seven years old who are enrolled full-time in a public school also must attend school unless temporarily excused by the district superintendent. This attendance requirement does not apply to children under the age of eight years if a parent has not enrolled the child in school or if the parent formally removes the child from enrollment.

#### Unexcused Absences

A child's absence from school is unexcused if the child is absent for the majority of hours in an average school day and the reason for the absence fails to meet the school district's policy for excused absences. School districts must excuse children who are physically or mentally unable to attend school. Absences for other reasons at the request of a parent can be excused

only if the absence does not create a serious adverse effect on the child's educational progress. School districts establish their own policies regarding excused and unexcused absences and are strongly encouraged to excuse up to five absences per school year for students participating in state-recognized search and rescue activities.

#### The Becca Bill and School District Duties

The Becca Bill was enacted by the Legislature in 1995 to address several areas of public policy affecting at-risk, runaway, and truant youth. The bill was named for a 13-year-old runaway girl from Spokane. Provisions of the law can be divided into three broad categories related to truancy petitions, at-risk youth petitions, and petitions for a child in need of services (CHINS petitions).

The truancy provisions of the Becca Bill require that, when a child who is required to attend a public school has unexcused absences, the school district take steps to eliminate or reduce the child's absences and:

- (1) after one unexcused absence in a month, contact the child's parent by telephone or in writing;
- (2) after two unexcused absences in a month, request a conference with the child's parent; and
- (3) after seven unexcused absences in a month or 10 unexcused absences in a school year, file a truancy petition in juvenile court requesting intervention and supervision.

An additional rule applies to children ages eight to 17 years who are required to attend school. After five unexcused absences in one month, the school district must either:

- (1) enter into a school attendance agreement with the student and parent;
- (2) refer the student to a community truancy board; or
- (3) file a truancy petition requesting court intervention or supervision.

Parents of children ages eight to 17 years also 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.

#### Truancy Petitions as Required Under the Becca Bill

A truancy petition is filed in juvenile court and alleges the child has unexcused absences, the school district has been unsuccessful in substantially reducing the child's unexcused absences, and court intervention and supervision is necessary. 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 a hearing is scheduled, notice must be provided to the child, the parent, and the school district. If the allegations in the petition are established, the court must assume jurisdiction to intervene for a period of time that can not be shorter than through the end of the current school year. The court may order the child to attend his or her current school, to attend another public school, or to attend an alternative school or another educational program. The court may order the child to submit to testing for the use of controlled substances or alcohol. If the child fails to comply with a truancy order, the court may impose detention or community

service on a child who is age eight or older. The court also may impose a fine or community service on the child's parents.

#### Community Truancy Boards

A community truancy board is a group of community members selected by the local school board to resolve truancy issues through an informal process. Truancy boards may recommend methods for improving school attendance, make agreements with truants and parents, and suggest to a school district that truants attend another school.

When the juvenile court refers a case to the local truancy board, the board must within 30 days of the referral meet with the child, the parent, and the school district and develop an agreement regarding the expectations and actions necessary to reduce the child's unexcused absences. In the case of a child under the age of eight years, the board may not require the child to attend school. An agreement developed by the truancy board must be submitted to the juvenile court for review.

If no agreement is reached, the case must be returned to juvenile court for a hearing unless the court finds other actions by the court would substantially reduce the child's unexcused absences.

#### Running Start and Northwest Indian College

Under the Running Start dual enrollment program, school districts and public institutions of higher education may partner and allow students in grades 11 and 12 to enroll in one or more college-level courses prior to high school graduation. A public tribal college, however, is not within the definition of the institutions eligible to participate in the program.

Northwest Indian College currently is the only public tribal college in the state, and is funded primarily through federal appropriations. The college participates in Washington's Work First and Adult Basic Education programs, and students may use state financial aid at the college.

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#### **Summary of Substitute Bill:**

The SPI is directed to review and evaluate the most promising dropout prevention programs and practices, including programs using non-punitive approaches to school discipline, and to report by December 2005, to the Legislature. The SPI will recommend the most promising comprehensive dropout prevention programs and practices, and the most promising targeted dropout prevention programs and practices. The SPI also is directed to recommend policy and other changes to enhance the ability of career and technical education programs and skills centers to further contribute to dropout prevention.

The SPI must establish goals for dropout reduction and high school graduation rates for students in grades seven through 12. The goals must require annual incremental improvements for schools and districts starting in the 2005-06 school year and must meet or exceed the 2014 high school graduation rate goal of 85 percent. The setting of goals for dropout reduction and high school graduation rates is no longer under the authority of the A+ Commission.

School districts are required to include students in grades seven and eight in their annual reporting of student enrollments and dropout data to the SPI..

For the purpose of reducing the dropout rate of Native American students and encouraging more participation in higher education, accredited public tribal colleges are eligible to participate in the Running Start program.

To the extent funds are appropriated, the OSPI, in conjunction with the Administrative Office of the Courts, must convene a work group to: (1) review the implementation of the Becca Bill and other school attendance measures for consistent application across the state and conformance with state law; and (2) evaluate the definitions of excused and unexcused absences, incentives for school districts to improve students attendance, and the data collection requirements for graduate rates, dropout, student transfer, and related issues.

the work group must include representation from the following groups:

the OSPI;

the Legislature;

the State Board of Education (SBE);

the Office of the Attorney General;

the Administrative Office of the Courts;

school administrators, counselors, and teachers;

truancy officers and truancy board members;

judges and prosecuting attorneys;

higher education institutions; and

other interested education organizations.

The OSPI must report the work group's findings by January 10, 2006, to the Governor, the SBE, and the Legislature.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** The Legislature needs to do something to address the dropout problem in Washington. Currently we keep track of students for dropout purposes when they enter high school, but studies indicate kids actually begin the mental process of dropping out as early as fifth or sixth grade. When students dropout before enrolling in high school, they aren't even on the radar screen. This bill is designed to help us recognize and address potential dropouts sooner so that we can meet their needs as soon as possible.

The Workforce Training and Education Coordinating Board supports adding the seventh and eighth grades and the incremental improvements. Minority commissions have provided anecdotal evidence that some minority students are never enrolling in high school because

they have dropped out in earlier grades. The key is that goals need to be set, prevention programs put in place, and the investments made to get the job done.

(With concerns) Adding seventh and eighth grades to the dropout reporting grades would require some technology updates. When students leave junior high, but don't request their transcripts, it could look like a dropout, but it might be that the student has left the state.

The SPI would like to be able to recommend more than just the two most promising programs, because there are several programs that are already working. The challenge is to get the information about best practices out to our schools and districts. This could be done through professional organizations providing in-service opportunities to school building leaders.

(Neutral) The A+ Commission currently is considering revised graduation rate goals that would require more rigorous targeted growth from districts already at the statewide average. These rates would apply to the subgroups as well. The chair of the A+ Commission wanted to underline that goals should be in place, and that there should be tracking of progress and consequences for meeting and not meeting the goals. The focus should be on the students and driving toward improvement. The work a district will have to do will depend on how far from their goal they are. Even though the slope is steep for some districts, we still need to encourage districts to reach the goals.

**Testimony Against:** None.

**Persons Testifying:** (In support) Representative Lovick, prime sponsor; Wes Pruitt, Workforce Training and Education Coordinating Board; Kathleen Lopp, Washington Association for Career and Technical Education; and Gary King, Washington Education Association.

(With concerns) Robert Butts and Pete Bylsma, Office of the Superintendent of Public Instruction; and Don Rash, Association of Washington School Principals.

(Neutral) Chris Thompson, A+ Commission.

**Persons Signed In To Testify But Not Testifying:** None.