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SENATE BILL 5426

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State of Washington

59th Legislature

2005 Regular Session

By Senators Carrell, Hargrove, Benson and Sheldon

Read first time 01/25/2005. Referred to Committee on Early Learning, K-12 & Higher Education.

1 AN ACT Relating to decreasing truancy and dropouts; amending RCW  
2 28A.225.010; adding a new section to chapter 28A.150 RCW; and creating  
3 a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that graduating from  
6 high school is an important indicator of how students will fare later  
7 in life. High school graduates are almost twice as likely as dropouts  
8 to be gainfully employed. Salaries of working graduates are nearly  
9 twice as high as those enjoyed by dropouts who work. Students who fail  
10 to graduate from high school are also significantly more likely to  
11 become single parents and have children at young ages. Students who do  
12 not graduate from high school are significantly more likely to rely  
13 upon public assistance or be in prison.

14 The legislature finds that there is a correlation between the  
15 dropout rates of youth and the rate of truancy within the educational  
16 system. The state must have as a priority the reduction in the rates  
17 of truancy and dropouts in the state educational system. The state  
18 must encourage the districts to adopt policies which reduce the rates  
19 of truancy and dropouts within the schools in their districts.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 28A.150  
2    RCW to read as follows:

3        (1) A school district may choose to use the procedure set out in  
4    subsection (2) of this section to increase the district's funding  
5    allocated under RCW 28A.150.250, 28A.150.260, and 28A.150.350.

6        (2) A school district shall receive increased funding under RCW  
7    28A.150.250, 28A.150.260, and 28A.150.350 if the district increases its  
8    attendance percentage. For every percentage increase in attendance  
9    percentage for the prior school year compared to the attendance  
10   percentage for the school year immediately preceding the prior school  
11   year, the allocation received by the district under RCW 28A.150.250,  
12   28A.150.260, and 28A.150.350 shall be increased by one percent. For  
13   every percentage decrease in the attendance percentage for the prior  
14   school year compared to the year immediately preceding the prior school  
15   year, the district's allocation under RCW 28A.150.250, 28A.150.260, and  
16   28A.150.350 shall be decreased by one percent except that in no case  
17   shall the adjustment under this subsection result in an allocation that  
18   is less than the allocation under RCW 28A.150.250, 28A.150.260, and  
19   28A.150.350.

20        (3) For the purposes of this section, the following definitions  
21   apply:

22        (a) "Average daily attendance" means the aggregate attendance of a  
23   district during a school year divided by the number of days a district  
24   is in session.

25        (b) "Average daily enrollment" means the aggregate enrollment of a  
26   district during a school year divided by the number of days a district  
27   is in session.

28        (c) "Attendance percentage" means the average daily attendance  
29   divided by the average daily enrollment.

30        **Sec. 3.**    RCW 28A.225.010 and 1998 c 244 s 14 are each amended to  
31   read as follows:

32        (1) All parents in this state of any child eight years of age and  
33   under eighteen years of age shall cause such child to attend the public  
34   school of the district in which the child resides and such child shall  
35   have the responsibility to and therefore shall attend for the full time  
36   when such school may be in session unless:

1 (a) The child is attending an approved private school for the same  
2 time or is enrolled in an extension program as provided in RCW  
3 28A.195.010(4);

4 (b) The child is receiving home-based instruction as provided in  
5 subsection ~~((4))~~ (5) of this section;

6 (c) The child is attending an education center as provided in  
7 chapter 28A.205 RCW;

8 ~~The ((school district superintendent of the district in which  
9 the child resides shall have excused such child from attendance because  
10 the child is physically or mentally unable to attend school,))~~ child is  
11 attending a residential school operated by the department of social and  
12 health services~~((7))~~;

13 (e) The child is incarcerated in an adult correctional facility~~((7  
14 or has been temporarily excused upon the request of his or her parents  
15 for purposes agreed upon by the school authorities and the parent:  
16 PROVIDED, That such excused absences shall not be permitted if deemed  
17 to cause a serious adverse effect upon the student's educational  
18 progress: PROVIDED FURTHER, That students excused for such temporary  
19 absences may be claimed as full time equivalent students to the extent  
20 they would otherwise have been so claimed for the purposes of RCW  
21 28A.150.250 and 28A.150.260 and shall not affect school district  
22 compliance with the provisions of RCW 28A.150.220))~~;

23 (f) The child's absence qualifies under one of the following  
24 excused absences and, if the absence qualifies, a student shall be  
25 allowed one makeup day for each day of absence:

26 (i) Participation in a school-approved activity is excused if this  
27 absence is authorized by a staff member and the affected teacher is  
28 notified before the absence unless it is clearly impossible to do so;

29 (ii) An absence due to illness, health condition, or family  
30 emergency is excused if the parent notifies the school office on the  
31 morning of the first day of the absence and sends a signed note of  
32 explanation with the student upon his or her return to school unless  
33 the parent is unable to comply with this requirement. Adult students  
34 age eighteen or over and students age sixteen or over who have been  
35 emancipated by court action shall notify the school office of their  
36 absences with a signed note of explanation;

37 (iii) An absence for religious purposes is excused if a parent  
38 requests that a student be excused from attending school in observance

1 of a religious holiday. In addition, a student, upon the request of  
2 his or her parent, may be excused for a portion of a school day to  
3 participate in religious instruction provided such is not conducted on  
4 school property;

5 (iv) An absence for parental-approved activities is excused if it  
6 is agreed to by the principal and the parent. An absence may not be  
7 approved if it causes a serious adverse effect on the student's  
8 educational progress. In participation-type classes, such as certain  
9 music and physical education classes, the student may not be able to  
10 achieve the objectives of the unit of instruction as a result of  
11 absence from class. In such a case, a parent-approved absence would  
12 have an adverse effect on the student's educational progress which  
13 would ultimately be reflected in the grade for such a course;

14 (v) An absence resulting from disciplinary actions, or short-term  
15 suspensions;

16 (vi) An absence due to an extended illness or health condition; or

17 ~~((+e))~~ (g) The child is sixteen years of age or older and:

18 (i) The child is regularly and lawfully employed and either the  
19 parent agrees that the child should not be required to attend school or  
20 the child is emancipated in accordance with chapter 13.64 RCW;

21 (ii) The child has already met graduation requirements in  
22 accordance with state board of education rules and regulations; or

23 (iii) The child has received a certificate of educational  
24 competence under rules and regulations established by the state board  
25 of education under RCW 28A.305.190.

26 (2) A child's absence from school is unexcused if it does not meet  
27 the definition of an excused absence in this section.

28 (3) A parent for the purpose of this chapter means a parent,  
29 guardian, or person having legal custody of a child.

30 ~~((+3))~~ (4) An approved private school for the purposes of this  
31 chapter and chapter 28A.200 RCW shall be one approved under regulations  
32 established by the state board of education pursuant to RCW  
33 28A.305.130.

34 ~~((+4))~~ (5) For the purposes of this chapter and chapter 28A.200  
35 RCW, instruction shall be home-based if it consists of planned and  
36 supervised instructional and related educational activities, including  
37 a curriculum and instruction in the basic skills of occupational  
38 education, science, mathematics, language, social studies, history,

1 health, reading, writing, spelling, and the development of an  
2 appreciation of art and music, provided for a number of hours  
3 equivalent to the total annual program hours per grade level  
4 established for approved private schools under RCW 28A.195.010 and  
5 28A.195.040 and if such activities are:

6 (a) Provided by a parent who is instructing his or her child only  
7 and are supervised by a certificated person. A certificated person for  
8 purposes of this chapter and chapter 28A.200 RCW shall be a person  
9 certified under chapter 28A.410 RCW. For purposes of this section,  
10 "supervised by a certificated person" means: The planning by the  
11 certificated person and the parent of objectives consistent with this  
12 subsection; a minimum each month of an average of one contact hour per  
13 week with the child being supervised by the certificated person; and  
14 evaluation of such child's progress by the certificated person. The  
15 number of children supervised by the certificated person shall not  
16 exceed thirty for purposes of this subsection; or

17 (b) Provided by a parent who is instructing his or her child only  
18 and who has either earned forty-five college level quarter credit hours  
19 or its equivalent in semester hours or has completed a course in home-  
20 based instruction at a postsecondary institution or a vocational-  
21 technical institute; or

22 (c) Provided by a parent who is deemed sufficiently qualified to  
23 provide home-based instruction by the superintendent of the local  
24 school district in which the child resides.

25 ~~((+5))~~ (6) The legislature recognizes that home-based instruction  
26 is less structured and more experiential than the instruction normally  
27 provided in a classroom setting. Therefore, the provisions of  
28 subsection ~~((+4))~~ (5) of this section relating to the nature and  
29 quantity of instructional and related educational activities shall be  
30 liberally construed.

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