

# HOUSE BILL REPORT

## SB 6398

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**As Reported by House Committee On:**  
Judiciary

**Title:** An act relating to fines levied in truancy court actions.

**Brief Description:** Regarding fines collected in truancy court actions.

**Sponsors:** Senators Stevens and Hargrove.

**Brief History:**

**Committee Activity:**

Judiciary: 2/27/08, 2/28/08 [DP].

**Brief Summary of Bill**

- Makes explicit that a court must remit 50 percent of the fine collected against a parent under the truancy petition provisions to the child's school district.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 11 members: Representatives Lantz, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Ahern, Flannigan, Kirby, Moeller, Pedersen, Ross and Williams.

**Staff:** Trudes Tango (786-7384).

**Background:**

State law regarding school attendance requires children ages 8 to 17 years to attend public schools unless they fall within certain exceptions, such as attending private school, receiving home-based instruction, or when the child is 16 years old and meets other specified criteria.

When a child who is required to attend a public school has unexcused absences, the school district must take steps to eliminate or reduce the child's absences. After a certain number of unexcused absences, the school district must either: enter into a school attendance agreement with the student and parent; refer the student to a community truancy board; or file a truancy petition requesting court intervention or supervision.

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*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.*

The truancy petition may be filed against the child, the parent, or both. A parent 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.

A truancy petition is filed in juvenile court. 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. If the child fails to comply with a truancy order, the court may impose detention or community service on a child who is age 8 or older.

The court also may impose a fine on the parent of not more than \$25 for each day of the child's unexcused absence from school. The court may order the parent to provide community restitution instead of imposing a fine. The court may suspend imposition of the fine if the parent participates with the school and the child in a supervised plan for the child's school attendance or if the parent attends a conference or conferences scheduled by the school to analyze the causes of the child's absence.

Generally, 50 percent of all fines imposed under the mandatory attendance statutes must be applied to the support of the public schools in the school district where the offense was committed, unless otherwise specified in statute or unless the district court imposes the fine.

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**Summary of Bill:**

The court must remit 50 percent of the fine collected against a parent under the truancy petition provisions to the child's school district.

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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.

**Staff Summary of Public Testimony:**

(In support) Truancy officers work diligently to get kids into school. If kids are out of school, they will get into trouble. We need to make sure kids do not establish bad habits. Some parents are negligent and don't have enough understanding of the value of an education for their kids.

(Opposed) None.

**Persons Testifying:** Senator Stevens, prime sponsor; Debra Axtman, Marysville School District; and Linda Ellis, Edmonds School District.

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