

# FINAL BILL REPORT

## SSB 5881

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**C 266 L 09**  
Synopsis as Enacted

**Brief Description:** Changing provisions involving truancy.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators McAuliffe, Hargrove, Regala, Jarrett and King).

**Senate Committee on Human Services & Corrections**  
**House Committee on Education**

**Background:** In 1995 the Washington State Legislature passed the "Becca Bill," E2SSB 5439, establishing new requirements and procedures for compulsory school attendance. State law now requires an escalating series of interventions when a child has unexcused absences from school. When a child has one unexcused absence, the school must inform the child's parent, parents, or guardian by written notice or telephone. After two unexcused absences, the school must request a conference with the child's parent, parents, or guardian, and take steps to reduce or eliminate the child's school absences.

If a child has seven unexcused absences in a month, or ten unexcused absences in a school year, the school must file a truancy petition, requesting a court to enter a truancy order requiring the child's attendance in school. If this order is entered, and the child continues to be absent from school, the school may request that the child be found in contempt of the order, and sanctions may issue, including an order that the child be placed in secure detention for up to seven days.

A school district or juvenile court may establish a community truancy board for the purpose of improving a child's school attendance, and to determine interventions that will assist a child in attending school. A community truancy board functions as a diversion from juvenile court. A 2009 study by the Washington State Institute of Public Policy found that approximately 13 percent of school districts operate community truancy boards.

**Summary:** If the child or parent is not fluent in English, it is the preferred practice to provide a notice of a child's unexcused absence, or a notice of a truancy hearing, in a language in which the parent, parents, or guardian is fluent.

A truancy petition must state whether the child and parent are fluent in English, and whether there is an existing individualized education program for the child. If the child is in a special

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education program, or has a diagnosed mental disorder, the court must inquire as to what efforts the school district has made to assist the child in attending school.

If a child is not provided with counsel at a truancy hearing, the court must conduct a colloquy on the record advising the child and parents of the child's rights before entering a truancy order.

Detention as a sanction for truancy must be limited to seven days. A warrant of arrest relating to truancy must not be served on a child inside a school during school hours in a place where other students are present.

The Legislature encourages the use of community truancy boards and other diversion units which are effective in promoting school attendance and preventing the need for more intrusive court intervention. The time that a community truancy board has to respond to a truancy referral is shortened to 20 days. An agreement with a community truancy board does not have to be sent back to court for approval unless the child or parent has not complied with the agreement.

**Votes on Final Passage:**

Senate	48	0
House	86	10

**Effective:** July 26, 2009