

FINAL BILL REPORT

SSB 6494

C 157 L 12

Synopsis as Enacted

Brief Description: Improving truancy procedures by changing the applicability of mandatory truancy petition filing provisions to children under seventeen years of age, requiring initial petitions to contain information about the child's academic status, prohibiting issuance of a bench warrant at an initial truancy status hearing, and modifying school district reporting requirements after the court assumes jurisdiction in a truancy case.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens, Regala and Carrell).

Senate Committee on Human Services & Corrections
House Committee on Judiciary
House Committee on Ways & Means

Background: Any child in the state of Washington who is at least eight years and under the age of 18 must attend school unless the child is receiving home-based instruction or qualifies for a lawful excuse. A child who is 16 years of age or older may be exempted from mandatory attendance requirements if the child is regularly and lawfully employed and is either emancipated or has the agreement of the child's parents, or may be exempted if the child has already met graduation requirements or obtained a certificate of educational competence.

If a child is required to attend school and is absent from school without excuse, the school district must inform the parents and take steps to eliminate or reduce the child's absences. If these efforts are unsuccessful, no later than the seventh unexcused absence within a month or tenth unexcused absence within a school year, the district must file a petition in juvenile court alleging a violation of mandatory attendance laws and asking the court to assume jurisdiction over the child. If the allegations in the petition are proven by a preponderance of the evidence, the court must grant the petition and enter an order assuming jurisdiction to intervene for the purpose of causing the juvenile to return and remain in school.

Summary: The maximum age of a child at which a school district may be legally required to file a truancy petition is lowered from 17 to 16 years of age. Ongoing court jurisdiction is not required to terminate when a child turns 17, nor is a school district precluded from filing a truancy petition. The truancy petition must include information describing the child's current academic status in school. A court may not issue a bench warrant for a child for failure to appear at an initial truancy hearing, but may enter a default order assuming

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.

jurisdiction over the child. After the court assumes jurisdiction, the school district must periodically update the court about the child's academic status in school at a schedule to be determined by the court, with the first report to be received no later than three months from the date at which the court assumes jurisdiction.

Votes on Final Passage:

Senate	31	17	
House	91	2	(House amended)
Senate			(Senate refused to concur)
House	98	0	(House recessed)

Effective: June 7, 2012