

---

HOUSE BILL 1530

---

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Pedersen, Ross, Dammeier, Darneille, Hunter, Rodne, Maxwell, Reykdal, and Goodman

Read first time 01/25/11. Referred to Committee on Education.

1 AN ACT Relating to limiting government responsibilities under  
2 provisions of the Becca bill; amending RCW 28A.225.015 and 28A.225.030;  
3 and declaring an emergency.

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

5 **Sec. 1.** RCW 28A.225.015 and 1999 c 319 s 6 are each amended to  
6 read as follows:

7 (1) If a parent enrolls a child who is six or seven years of age in  
8 a public school, the child is required to attend and that parent has  
9 the responsibility to ensure the child attends for the full time that  
10 school is in session. An exception shall be made to this requirement  
11 for children whose parents formally remove them from enrollment if the  
12 child is less than eight years old and a petition has not been filed  
13 against the parent under subsection (3) of this section. The  
14 requirement to attend school under this subsection does not apply to a  
15 child enrolled in a public school part-time for the purpose of  
16 receiving ancillary services. A child required to attend school under  
17 this subsection may be temporarily excused upon the request of his or  
18 her parent for purposes agreed upon by the school district and parent.

1 (2) If a six or seven year-old child is required to attend public  
2 school under subsection (1) of this section and that child has  
3 unexcused absences, the public school in which the child is enrolled  
4 shall:

5 (a) Inform the child's custodial parent, parents, or guardian by a  
6 notice in writing or by telephone whenever the child has failed to  
7 attend school after one unexcused absence within any month during the  
8 current school year;

9 (b) Request a conference or conferences with the custodial parent,  
10 parents, or guardian and child at a time reasonably convenient for all  
11 persons included for the purpose of analyzing the causes of the child's  
12 absences after two unexcused absences within any month during the  
13 current school year. If a regularly scheduled parent-teacher  
14 conference day is to take place within thirty days of the second  
15 unexcused absence, then the school district may schedule this  
16 conference on that day; and

17 (c) Take steps to eliminate or reduce the child's absences. These  
18 steps shall include, where appropriate, adjusting the child's school  
19 program or school or course assignment, providing more individualized  
20 or remedial instruction, offering assistance in enrolling the child in  
21 available alternative schools or programs, or assisting the parent or  
22 child to obtain supplementary services that may help eliminate or  
23 ameliorate the cause or causes for the absence from school.

24 (3) If a child required to attend public school under subsection  
25 (1) of this section has seven unexcused absences in a month or ten  
26 unexcused absences in a school year, the school district shall file a  
27 petition for civil action as provided in RCW 28A.225.035 against the  
28 parent of the child. Beginning March 1, 2011, and ending July 1, 2011,  
29 this subsection is suspended and, during this suspension period, school  
30 districts may, but are not required to, file truancy petitions for such  
31 unexcused absences.

32 (4) This section does not require a six or seven year old child to  
33 enroll in a public or private school or to receive home-based  
34 instruction. This section only applies to six or seven year old  
35 children whose parents enroll them full time in public school and do  
36 not formally remove them from enrollment as provided in subsection (1)  
37 of this section.

1           **Sec. 2.** RCW 28A.225.030 and 1999 c 319 s 2 are each amended to  
2 read as follows:

3           (1) If a child is required to attend school under RCW 28A.225.010  
4 and if the actions taken by a school district under RCW 28A.225.020 are  
5 not successful in substantially reducing an enrolled student's absences  
6 from public school, not later than the seventh unexcused absence by a  
7 child within any month during the current school year or not later than  
8 the tenth unexcused absence during the current school year the school  
9 district shall file a petition and supporting affidavit for a civil  
10 action with the juvenile court alleging a violation of RCW 28A.225.010:

11           (a) By the parent; (b) by the child; or (c) by the parent and the  
12 child. Except as provided in this subsection, no additional documents  
13 need be filed with the petition.

14           (2) The district shall not later than the fifth unexcused absence  
15 in a month:

16           (a) Enter into an agreement with a student and parent that  
17 establishes school attendance requirements;

18           (b) Refer a student to a community truancy board, if available, as  
19 defined in RCW 28A.225.025. The community truancy board shall enter  
20 into an agreement with the student and parent that establishes school  
21 attendance requirements and take other appropriate actions to reduce  
22 the child's absences; or

23           (c) File a petition under subsection (1) of this section.

24           (3) The petition may be filed by a school district employee who is  
25 not an attorney. Beginning March 1, 2011, and ending July 1, 2011,  
26 this subsection is suspended and, during this suspension period, school  
27 districts may, but are not required to, file truancy petitions for such  
28 unexcused absences.

29           (4) If the school district fails to file a petition under this  
30 section, the parent of a child with five or more unexcused absences in  
31 any month during the current school year or upon the tenth unexcused  
32 absence during the current school year may file a petition with the  
33 juvenile court alleging a violation of RCW 28A.225.010.

34           (5) Petitions filed under this section may be served by certified  
35 mail, return receipt requested. If such service is unsuccessful, or  
36 the return receipt is not signed by the addressee, personal service is  
37 required.

1        NEW SECTION.    **Sec. 3.**    This act is necessary for the immediate  
2    preservation of the public peace, health, or safety, or support of the  
3    state government and its existing public institutions, and takes effect  
4    immediately.

--- END ---