

# SENATE BILL REPORT

## SHB 1283

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As of March 22, 2013

**Title:** An act relating to changing compulsory school attendance requirements for children six and seven years of age.

**Brief Description:** Changing compulsory school attendance requirements for children six and seven years of age.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Maxwell, Stonier, Johnson, Hunt, Reykdal, Bergquist, Sawyer, Pollet, Cody, Kagi, Roberts, Orwall, Lytton, Jinkins and Ryu).

**Brief History:** Passed House: 3/08/13, 75-22; 3/08/13, 74-23.

**Committee Activity:** Early Learning & K-12 Education: 3/22/13.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Susan Mielke (786-7422)

**Background:** Current law requires each school district's K-12 program of basic education to be accessible to all students who are five years old and less than 21.

Generally, under Washington's compulsory attendance law, parents of children who are between eight and 18 years old must require their children to attend either a public or private school or provide the child home-based instruction, unless they meet a specified exception. If the child does not attend school then the parent and the child may be subject to truancy provisions, which for public school students include a notification of the parents and interventions by the school; and the school district must file a truancy petition with the juvenile court when a public school student has seven unexcused absences in a month or ten unexcused absences in a school year.

If a parent enrolls a six or a seven-year-old child in a public school then the child must attend school even though the child is below the age of eight. If the child is enrolled but does not attend, then the child is subject to a separate truancy provision for six and seven year olds. The provision mirrors the truancy provisions that address students between eight and 18, requiring the school to notify parents, provide interventions, and the school district to file a truancy petition.

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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.*

Home-based instruction requires a parent to annually file a declaration of intent to provide their child who is between ages eight and 18 home-based instruction, keep records, and annually administer a standardized achievement test to show that the child is making progress. If the requirements are not met, then the child is subject to the statutory truancy provisions.

In January 2013, the Education Commission of the States reported that the minimum compulsory school age in different states is as such:

- nine states – age five;
- 26 states – age six;
- 14 states – age seven; and
- two states – Washington and Pennsylvania – age eight.

**Summary of Bill:** The minimum compulsory school age is lowered from age eight to age six.

The truancy provision that specifically addresses a six or seven-year-old student enrolled in public school is repealed. A school must still notify parents and provide specific interventions for a six or seven-year-old student but a district is not required to file a truancy petition with the juvenile court unless the student is eight years old or older.

A parent whose child receives home-based instruction must annually file a declaration of intent to provide home-based instruction beginning when their child is age six or older; however, the parent is not required to keep records and annually administer a standardized achievement test to show that the child is making progress until the child is age eight or older.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: We agree that it is past time for our state to catch up with other states and countries that begin the school experience at an earlier age than eight. If a student enters the public school system who did not have any early learning or instruction by their parents prior to age eight, those students are behind socially and academically. This will help ensure that our students are well prepared and more well rounded. Attendance is important but we need the support of parents to make it work.

CON: This bill applies to every child who is six years old in the state of Washington. It assumes to know what is best for every child who is age six. Every child is different and develops different abilities at the same age, so why would we believe that every child should attend school beginning at age six. Children bloom at different ages and you cannot force a child to learn who is not ready. Please leave the law as it is and maintain the choice for parents as to what is best for their children. We are concerned that this effort to lower the age

of school attendance to six is not where this will stop. We are concerned because this is an erosion of parental rights and we cannot support the principal of greater government intrusion that underlies this bill. This bill is unnecessary because most parents do enroll their children in public school at age five or six without a law mandating it and without removing parental rights.

**Persons Testifying:** PRO: Representative Maxwell, prime sponsor; Lucinda Young, WA Education Assn.; Jerry Bender, Assn. of WA School Principals.

CON: DiAnna Brannan, Christian Homeschool Network; Susan Bradrick, citizen.