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## Judiciary Committee

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### HB 1243

**Title:** An act relating to providing flexibility for how school districts address truancy of students.

**Brief Description:** Providing flexibility for how school districts address truancy of students.

**Sponsors:** Representatives Muri, Hargrove, Magendanz and Lytton.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Modifies truancy petition and other requirements that apply to schools and school districts in responding to students who have unexcused absences.</li></ul>
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**Hearing Date:** 2/17/15

**Staff:** Edie Adams (786-7180).

**Background:**

State law regarding school attendance requires children 8 to 17 years old to attend public schools unless they fall within certain exceptions. If a parent enrolls a 6- or 7-year-old child in school, the child is required to attend school and the parent is responsible for ensuring the child attends.

Duties of Schools and School Districts.

When a child who is over age 7 and required to attend school has unexcused absences, the school must provide notice and request a conference with the parent, and take other steps to eliminate or reduce the child's absences. The following specific actions are imposed on schools and school districts:

- After one unexcused absence in one month, the school must inform parents in writing or by phone of potential consequences of continuing absences.
- After two unexcused absences in one month, the school must schedule a conference with the parents and take steps to reduce absences.

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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.*

- After five unexcused absences in a month, the district must enter into an attendance agreement with the student and parent, refer the student to a community truancy board, or file a truancy petition with the court.
- After seven unexcused absences in a month or 10 unexcused absences in a year, the district must file a truancy petition with the court if the student is under the age of 17, and may file the petition for a student who is 17 years of age.

Similar requirements apply to 6- and 7-year-old children who are enrolled in school, although the school district is not required to take specific action after the fifth unexcused absence in a month.

### Truancy Petitions.

A truancy petition is filed in juvenile court and may be filed against the child, the parent, or both. Truancy petitions regarding 6- and 7-year-old students are filed against the parent. Upon receipt of a truancy petition, the court must either schedule a hearing on the petition or refer the case to a community truancy board. If the court finds the student to be truant, the court may order the student to attend school, change schools, or appear before a community truancy board. If the student continues to be truant, the school or the court may file a contempt of court motion and various sanctions may be imposed, including detention or community service. Throughout the process, students and their families may be referred to other services.

### **Summary of Bill:**

The requirements that a school provide notice, schedule conferences, and take other steps when a student has one or two unexcused absences in a month are limited to students in the sixth grade or above. Schools may take these actions for students in the fifth grade or below. A school may provide notice of an unexcused absence to a parent by electronic mail, and may conduct parent conferences concerning unexcused absences by telephone or in person.

The duties of a school district in responding to a student who has five or more unexcused absences in a month or 10 unexcused absences in a year are made discretionary rather than mandatory. A school district may, but is not required to: enter into an attendance agreement, refer the student to a community truancy board, or file a truancy petition when a student has five unexcused absences in a month; and file a truancy petition after seven unexcused absences in a month or 10 unexcused absences in a year.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.