

# SENATE BILL REPORT

## 2SHB 2449

---

---

As Reported by Senate Committee On:  
Human Services, Mental Health & Housing, February 25, 2016

**Title:** An act relating to court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy.

**Brief Description:** Providing court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Orwall, Magendanz, Kagi, Santos, Senn, Peterson, Appleton, Moscoso, Goodman, Jinkins, Walkinshaw, Stanford, Clibborn, Sells, Fitzgibbon, Kilduff, Ryu, Bergquist, Pollet and S. Hunt).

**Brief History:** Passed House: 2/12/16, 86-10.

**Committee Activity:** Human Services, Mental Health & Housing: 2/23/16, 2/25/16 [DPA].

---

### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Majority Report:** Do pass as amended.

Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

**Staff:** Kevin Black (786-7747)

**Background:** Truancy and Attendance. Parents must ensure that their children aged 8-18 attend public school unless the children fall within certain exceptions, such as enrollment in private school or receipt of home-based instruction.

Schools must inform students and parents of the state compulsory attendance requirements at least annually. This requirement may be satisfied by providing online access to the information, unless a parent or guardian specifically requests for the information to be provided in written form.

When a child in public school has unexcused absences, the school must take steps to eliminate or reduce the child's absences. The following specific requirements are imposed on schools and school districts:

---

*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 one unexcused absence in one month, the school must inform parents in writing or by phone of potential consequences of continued absences;
- after two unexcused absences in one month, the school must schedule a conference with the parents and take steps to reduce absences;
- after five unexcused absences in one 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; and
- after seven unexcused absences in one 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. A petition may be filed with respect to a student who is 17 years of age.

A truancy petition is filed in juvenile court, and may be filed against the child, the parent, or both. Upon receipt of a truancy petition, the court must either schedule a hearing on the petition or stay the case and refer it to a community truancy board. If, following a hearing, 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 the court may impose various contempt sanctions, including detention or community service. Throughout the process, students and their families may be referred to other services.

The Washington Assessment of the Risks and Needs of Students (WARNS) is a risk and needs assessment for schools, courts, and service providers designed to identify youths at risk of truancy, delinquency, and dropping out of school, and to assess youth development. It is designed for students aged 13-18 and consists of 76 questions requiring 10-20 minutes to complete either on paper or online. The WARNS was developed in Washington with support from the MacArthur Foundation.

Crisis Residential Centers (CRCs). CRCs are short-term, semi-secure or secure facilities for runaway youth and adolescents in conflict with their families. Counselors at CRCs work with the family to resolve the immediate conflict and develop better ways of dealing with conflict in the future. The stated goal of CRCs is to reunite the family and youth whenever possible. There are currently 44 CRC beds and 25 secure CRC beds in the state.

HOPE Centers. HOPE Centers provide temporary residential placement and other services for street youth. Youth may self-refer to a HOPE Center for services. While residing in a HOPE Center, the youth undergoes a comprehensive assessment in order to develop the best plan for the youth, with the focus on finding a permanent and stable home. A street youth whose parent wants the youth to be returned home may stay in the HOPE Center only until the parent arranges for the return of the youth. A youth may remain in a HOPE Center for up to 30 days with court approval. Longer stays must be based on the unavailability of a longer term placement and require approval by the Department of Commerce. There are currently 23 HOPE beds in the state.

**Summary of Bill (Recommended Amendments):** Truancy and Attendance. Each school must inform the parent of its enrolled students about:

- the benefits of regular school attendance;
- the potential effects of excessive absenteeism, excused or unexcused, on academic achievement and graduation and dropout rates;

- the expectations on parents and guardians to ensure regular school attendance by the child;
- the resources available to assist the child and the parents and guardians;
- the role and responsibilities of the school; and
- the consequences of truancy.

Information must be provided before or at the time of enrollment and at the beginning of each school year. Reasonable efforts must be made to enable a parent to request and receive the information in a language in which the parent is fluent. A parent must date and acknowledge review of this information before or at the time of enrollment and at the beginning of each school year. The Office of the Superintendent of Public Instruction must develop a template for schools to use to satisfy this requirement.

If a child who is required to attend elementary school has five excused absences in a month, or 10 excused absences in a year, the school district must schedule a conference with the parent and child for the purpose of identifying barriers to the child's regular attendance and supports and resources that may be provided to the family, so that the child is able to regularly attend school. The conference must include at least one school district employee such as a nurse, counselor, social worker, teacher, or community human services provider, and may involve revision of an individual education plan. A conference is not required if prior notice is given to the school or a doctor's note provided and an academic plan is put into place so that the child does not fall behind. If a regularly scheduled parent-teacher conference day is to take place within 30 days, the district may schedule the conference on that day.

A school must make reasonable efforts to communicate with a child's parent about unexcused absences in a language in which the parent is fluent.

Steps taken by a school to reduce a child's unexcused absences must be data-informed, and include the use of the WARNS assessment, and provide an available approved best practice or research-based intervention consistent with the WARNS profile. The results of the WARNS assessment and a history of best practices or research-based interventions must be provided to a new school district when the child transfers schools, along with truancy information.

The Office of the Superintendent of Public Instruction must develop recommendations as to how mandatory school attendance and truancy amelioration provisions should be applied to online schools. A report is due by November 1, 2016.

Community Truancy Board. All school districts must establish and operate a community truancy board under the jurisdiction of the juvenile court by August 1, 2017. School districts with less than 200 students may work cooperatively with other school districts, the county court, or the school district's educational service district to provide a community truancy board or other interventions approved by the juvenile court, and associated screenings and services to its students.

All members of the board must receive training regarding:

- identification of barriers to school attendance;

- the use of the WARNS or other assessment tools to identify the specific needs of individual children;
- trauma-informed approaches to discipline;
- evidence-based treatments that have been found effective to support at-risk youth and their families; and
- the specific services and treatment available in the particular school, court, community, and elsewhere.

The Community Truancy Board must identify barriers to school attendance for the child, connect students and their families with community services and evidence-based services, and consider referring the child to a HOPE center.

A truancy petition must include a list of all interventions that have been attempted to increase attendance and a copy of the most recent truancy information signed by the parents. When a truancy petition is filed, it must initially be stayed by the juvenile court and referred to a community truancy board or intervention and prevention efforts must be employed if the community truancy board is not yet in place. If intervention and prevention efforts are unsuccessful at substantially reducing the child's unexcused absences within a time frame set by the school district, the stay must be lifted and the juvenile court must schedule a hearing. The juvenile court may order the child to submit to a mental health evaluation and follow treatment recommendations, at no expense to the school, if the court finds that such evaluation is appropriate.

A preference is created for detention as a sanction for noncompliance with a truancy order to be served at a secure crisis residential center close to the child's home rather than in a juvenile detention facility. A judge may order a child subject to a truancy petition to submit to temporary placement in a crisis residential center if the court determines there is an immediate health and safety concern, or a family conflict with the need for mediation.

CRCs and HOPE Centers. Subject to appropriated funds, the Department of Commerce must increase the number of available HOPE beds by at least 17 beds and the capacity of crisis residential centers by 10 beds per fiscal year 2017-2019. At least 75 HOPE beds must be established and operated by July 1, 2019. The additional HOPE bed and crisis residential center capacity must be distributed around the state based upon need and, to the extent feasible, accessible to all geographic areas. Volume of truancy petitions filed must be considered in determining the need for HOPE beds.

Learning Assistance Program. Up to 2 percent of a school district's LAP funds may be used to fund community truancy boards activities and associated student supports. The first focus for school districts offering a LAP is expanded to include the needs of students referred to truancy boards.

Evaluation. The Washington State Institute for Public Policy (WSIPP) must evaluate the effectiveness of the act in increasing access to truancy boards and early intervention programs, increasing the quality of truancy intervention programs, reducing the need for further court intervention, and increasing school attendance.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES, MENTAL HEALTH & HOUSING COMMITTEE (Recommended Amendments):** The contents of the bill are replaced with 2SSB 6497. WSIPP must evaluate the effect of the legislation on increased school attendance.

**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: One of the top predictors of whether kids will graduate from high school is their attendance in elementary school. Truancy boards are a best practice in the community. This bill provides resources to help the relationships happen which support the formation of community truancy boards. We provide academic supports and treatment resources which might not otherwise be available. Since truancy boards are built on partnerships, the expense is not for bureaucracy but for training and supports for the families. Some of these provisions are consistent with recommendations made by the Becca Task Force in 2011 in order to keep kids in school and use detention as the last resort. We support adding additional Becca Task Force recommendations that were reflected in the Senate version of this bill. Adequate funding must be placed towards community truancy boards. At least 150 school districts lack this important resource. Having kids in crisis centers instead of detention would be a good thing to slow down the school to prison pipeline. We support not diverting Learning Assistance Program funds for the support of truancy boards.

**Persons Testifying:** PRO: Representative Orwall, Prime Sponsor; Gina Cumbo, Becca Task Force; Jerry Bender, Assn. of WA School Principals.

**Persons Signed In To Testify But Not Testifying:** No one.