

**SHB 1113 - H AMD 339**

By Representative Harris-Talley

**ADOPTED 03/03/2021**

1 On page 1, after line 6, insert the following:

2 "NEW SECTION. **Sec. 1.** (1) The legislature acknowledges that  
3 student absences from school can be an indicator that the academic  
4 and social-emotional needs of the students are not being met in the  
5 public school or classroom or through the school culture or climate.  
6 Student absences can also signal to educators that families may need  
7 additional information and assistance in supporting student learning  
8 within the home.

9 (2) The legislature finds that as research and public awareness  
10 grows about the impact of school climate and culture on the academic  
11 and social-emotional experiences of students, the systems of public  
12 education must shift away from enforcing punitive, compliance-focused  
13 policies and toward enabling constructive, student-centered  
14 practices. The legislature further finds that a student-centered  
15 system of public education serves the individual needs of students  
16 with strong family engagement and through integrated supports  
17 provided by the state, public schools, and the greater community.

18 (3) Therefore, the legislature intends to refocus the attendance  
19 policies and practices of the public education system to emphasize  
20 individualized student and family supports that are culturally  
21 responsive, evidence-informed, and show promising practice for  
22 integrating multiple systems of support to effectively improve  
23 consistent student attendance at school and family engagement in  
24 student learning.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.225  
26 RCW to read as follows:

27 The office of the superintendent of public instruction shall  
28 develop and publish best practice guidance to eliminate or reduce  
29 student absences and to otherwise implement the requirements of this  
30 chapter. The guidance must focus on student and family engagement, be  
31 based in restorative justice practices, and emphasize integration of  
32 student and family support systems. The guidance must be developed in

1 consultation with the educational opportunity gap oversight and  
2 accountability committee and updated periodically."

3 Renumber the remaining sections consecutively and correct any  
4 internal references accordingly.

5 On page 2, line 31, after "child's" strike "fifth" and insert  
6 "seventh"

7 On page 2, line 31, after "absence" insert "within any month"

8 On page 3, after line 2, insert the following:

9 "**Sec. 3.** RCW 28A.225.030 and 2017 c 291 s 6 are each amended to  
10 read as follows:

11 (1) If a child under the age of seventeen is required to attend  
12 school under RCW 28A.225.010 and if the actions taken by a school  
13 district under RCW 28A.225.020 are not successful in substantially  
14 reducing an enrolled student's absences from public school, (~~not~~  
15 ~~later than the~~) after the child's seventh unexcused absence (~~by a~~  
16 ~~child~~) within any month during the current school year (~~or~~) and  
17 not later than the (~~tenth~~) 15th unexcused absence during the  
18 current school year the school district shall file a petition and  
19 supporting affidavit for a civil action with the juvenile court  
20 alleging a violation of RCW 28A.225.010: (a) By the parent; (b) by  
21 the child; or (c) by the parent and the child. The petition must  
22 include a list of all interventions that have been attempted as set  
23 forth in RCW 28A.225.020, include a copy of any previous truancy  
24 assessment completed by the child's current school district, the  
25 history of approved best practices intervention or research-based  
26 intervention previously provided to the child by the child's current  
27 school district, and a copy of the most recent truancy information  
28 document provided to the parent, pursuant to RCW 28A.225.005. Except  
29 as provided in this subsection, no additional documents need be filed  
30 with the petition. Nothing in this subsection requires court  
31 jurisdiction to terminate when a child turns seventeen or precludes a  
32 school district from filing a petition for a child that is seventeen  
33 years of age.

34 (2) The district shall not later than the (~~fifth~~) seventh  
35 unexcused absence in a month:

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

3 (b) Refer a student to a community truancy board as defined in  
4 RCW 28A.225.025. The community truancy board shall enter into an  
5 agreement with the student and parent that establishes school  
6 attendance requirements and take other appropriate actions to reduce  
7 the child's absences; or

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

9 (3) The petition may be filed by a school district employee who  
10 is not an attorney.

11 (4) If the school district fails to file a petition under this  
12 section, the parent of a child with (~~five~~) seven or more unexcused  
13 absences in any month during the current school year or upon the  
14 (~~tenth~~) 15th unexcused absence during the current school year may  
15 file a petition with the juvenile court alleging a violation of RCW  
16 28A.225.010.

17 (5) Petitions filed under this section may be served by certified  
18 mail, return receipt requested. If such service is unsuccessful, or  
19 the return receipt is not signed by the addressee, personal service  
20 is required.

21 **Sec. 4.** RCW 28A.225.151 and 2017 c 291 s 7 are each amended to  
22 read as follows:

23 (1) As required under subsection (2) of this section, the office  
24 of superintendent of public instruction shall collect and school  
25 districts shall submit student-level truancy data in order to allow a  
26 better understanding of actions taken under RCW 28A.225.030. The  
27 office shall prepare an annual report to the legislature by December  
28 15th of each year.

29 (2) The reports under subsection (1) of this section shall  
30 include, disaggregated by student group:

31 (a) The number of enrolled students and the number of unexcused  
32 absences;

33 (b) The number of enrolled students with (~~ten~~) 15 or more  
34 unexcused absences in a school year or (~~five~~) seven or more  
35 unexcused absences in a month during a school year;

36 (c) A description of any programs or schools developed to serve  
37 students who have had (~~five~~) seven or more unexcused absences in a  
38 month or (~~ten~~) 15 in a year including information about the number  
39 of students in the program or school and the number of unexcused

1 absences of students during and after participation in the program.  
2 The school district shall also describe any placements in an approved  
3 private nonsectarian school or program or certified program under a  
4 court order under RCW 28A.225.090;

5 (d) The number of petitions filed by a school district with the  
6 juvenile court and, beginning in the 2018-19 school year, whether the  
7 petition results in:

- 8 (i) Referral to a community truancy board;
- 9 (ii) Other coordinated means of intervention;
- 10 (iii) A hearing in the juvenile court; or
- 11 (iv) Other less restrictive disposition (e.g., change of  
12 placement, home school, alternative learning experience, residential  
13 treatment); and

14 (e) Each instance of imposition of detention for failure to  
15 comply with a court order under RCW 28A.225.090, with a statement of  
16 the reasons for each instance of detention.

17 (3) A report required under this section shall not disclose the  
18 name or other identification of a child or parent.

19 (4) The K-12 data governance group shall develop the data  
20 protocols and guidance for school districts in the collection of data  
21 to provide a clearer understanding of actions taken under RCW  
22 28A.225.030."

23 Renumber the remaining sections consecutively and correct any  
24 internal references accordingly.

25 On page 3, line 9, after "child's" strike "fifth" and insert  
26 "seventh"

27 On page 3, line 28, after "than the" strike "fifth" and insert  
28 "((~~fifth~~) seventh)"

29 On page 4, line 2, after "with" strike "five" and insert  
30 "((~~five~~) seven)"

31 On page 4, line 24, after "year or" strike "five" and insert  
32 "((~~five~~) seven)"

33 On page 4, line 27, after "had" strike "five" and insert  
34 "((~~five~~) seven)"

1 On page 5, line 36, after "before the" strike "fifth" and insert  
2 "~~(fifth)~~ seventh"

3 Beginning on page 14, line 27, strike all of section 11

4 Renumber the remaining sections consecutively and correct any  
5 internal references accordingly.

6 On page 19, beginning on line 11, strike all of sections 13, 14,  
7 and 15 and insert the following:

8 "NEW SECTION. **Sec. 13.** Sections 1 through 6 of this act are  
9 necessary for the immediate preservation of the public peace, health,  
10 or safety, or support of the state government and its existing public  
11 institutions, and take effect immediately.

12 NEW SECTION. **Sec. 14.** Sections 5 and 6 of this act expire  
13 August 1, 2021.

14 NEW SECTION. **Sec. 15.** Sections 7 through 15 of this act take  
15 effect August 1, 2021."

16 Correct the title.

EFFECT: Makes the following changes to the substitute bill:

(1) Adds an intent section.

(2) Directs the Office of the Superintendent of Public Instruction to develop, in consultation with the Educational Opportunity Gap Oversight and Accountability Committee, best practice guidance to eliminate or reduce student absences.

(3) Requires that this guidance focus on student and family engagement, be based in restorative justice practices, and emphasize integration of student and family support systems.

(4) Changes "five unexcused absences" and "fifth unexcused absence," to "seven unexcused absences" and "seventh unexcused absence" throughout the bill.

(5) Revises effective date provisions so that the term "community truancy board" is changed to "community engagement board" on August 1, 2021, rather than immediately.

(6) Makes language describing the truancy petition filing thresholds consistent between student age groups.

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