

SENATE BILL REPORT

ESHB 1113

As Reported by Senate Committee On:
Early Learning & K-12 Education, March 24, 2021

Title: An act relating to school attendance.

Brief Description: Concerning school attendance.

Sponsors: House Committee on Education (originally sponsored by Representatives Ortiz-Self, Kloba and Pollet; by request of Superintendent of Public Instruction).

Brief History: Passed House: 3/3/21, 77-20.

Committee Activity: Early Learning & K-12 Education: 3/17/21, 3/24/21 [DP].

Brief Summary of Bill

- Requires school districts to file a truancy petition after a student's seventh unexcused absence within a month and not later than a student's 15th unexcused absence in the school year.
- 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.
- Changes the term "community truancy board" to "community engagement board."

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Hawkins, Ranking Member; Dozier, Hunt, McCune, Mullet and Pedersen.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Alexandra Fairfortune (786-7416)

Background: Compulsory School Attendance. Children and youth eight years old and under 18 years old must attend public school unless they fall within certain exceptions, such as attending private school or receiving home-based instruction. If a parent enrolls a six-year-old or seven-year-old child in public school, the child must attend school, and the parent is responsible for ensuring the child attends.

Truancy Petitions. For a student who is at least eight years old and under 17 years old, the school district must file a truancy petition and supporting affidavit with the juvenile court alleging a violation of the compulsory attendance law by the parent, the student, or both the parent and student, not later than the seventh unexcused absence in a month or not later than the tenth unexcused absence in a school year.

After a student who is six years old or seven years old has seven unexcused absences in a month or ten unexcused absences in a school year, the school district must file a truancy petition against the parent of the student.

Community Truancy Boards. When a truancy petition is filed, it must be initially stayed by the juvenile court and the student and the student's parent must be referred to a community truancy board (CTB) or other coordinated means of intervention. A CTB is composed of members of the local school district community who receive training on specified topics. The CTBs must, among other things identify barriers to student attendance, recommend methods for improving attendance, and suggest enrollment in a different education program. If the CTB fails to reach an agreement, or if the parent or student does not comply with the agreement within the timeline set by the CTB, the CTB returns the case to the juvenile court.

Summary of Bill: Truancy Petitions. For six-year-old and seven-year-old children enrolled in public school and for children who are at least eight years old and under the age of 17, the school district must file a truancy petition after a child's seventh unexcused absence within any month during the current school year and not later than the 15th unexcused absence during the school year.

Corresponding changes from the fifth and tenth unexcused absence to the seventh and fifteenth unexcused absence are made in relation to the deadline for a parent filed truancy petition and with regard to collection of data on the number of enrolled students that meet the unexcused absence thresholds.

Guidance to Reduce Student Absences. The Office of the Superintendent of Public Instruction (OSPI) must develop and publish best practice guidance to eliminate or reduce student absences and to otherwise implement compulsory school attendance laws. The guidance must focus on student and family engagement, be based in restorative justice practices, and emphasize integration of student and family support systems. The guidance

must be developed in consultation with the Educational Opportunity Gap Oversight and Accountability Committee and updated periodically.

Community Engagement Board. Beginning August 1, 2021, the term "community truancy board" is changed to "community engagement board."

Rules. OSPI is authorized to adopt rules necessary to carry out the purposes of the compulsory attendance laws.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony: PRO: This is an agency request bill from OSPI. During COVID, districts were reaching out to families and found it was impossible to address absences in such a short amount of time, so school staff asked for extra time to engage families and children. This bill gives districts an extra school week but the district can still report the absences after ten days if they want. Attendance is crucial to student success in school, and can act as a mirror to show inequities in the system. Students are often absent for a reason, such as having responsibilities at home or family disengagement. Engaging early instead of being punitive helps the student, and targeted student and family supports will produce the best results. This also changes the name of community truancy boards, since that name was scary for some parents. If districts really want a partnership and to engage with students and parents, the board should be named to reflect that.

Persons Testifying: PRO: Representative Lillian Ortiz-Self, Prime Sponsor; Lucinda Young, Washington Education Association; Melody Edmiston; Krissy Johnson, Office of the Superintendent of Public Instruction; Patrick Vincent, principal, Union Gap School; Chris Hunke, Dean of Students, Gig Harbor High School; Katherine Mahoney, Office of the Superintendent of Public Instruction.

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