
SUBSTITUTE HOUSE BILL 1113

State of Washington

67th Legislature

2021 Regular Session

By House Education (originally sponsored by Representatives Ortiz-Self, Kloba, and Pollet; by request of Superintendent of Public Instruction)

READ FIRST TIME 02/01/21.

1 AN ACT Relating to school attendance; amending RCW 28A.225.015,
2 28A.225.030, 28A.225.151, 28A.225.020, 28A.225.025, 28A.225.026,
3 28A.225.0261, 28A.225.027, 28A.225.035, 28A.225.090, and 28A.225.090;
4 adding a new section to chapter 28A.225 RCW; providing an effective
5 date; providing an expiration date; and declaring an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.225
8 RCW to read as follows:

9 The superintendent of public instruction may adopt rules
10 necessary to carry out the purposes of this chapter.

11 **Sec. 2.** RCW 28A.225.015 and 2017 c 291 s 1 are each amended to
12 read as follows:

13 (1) If a parent enrolls a child who is six or seven years of age
14 in a public school, the child is required to attend and that parent
15 has the responsibility to ensure the child attends for the full time
16 that school is in session. An exception shall be made to this
17 requirement for children whose parents formally remove them from
18 enrollment if the child is less than eight years old and a petition
19 has not been filed against the parent under subsection (3) of this
20 section. The requirement to attend school under this subsection does

1 not apply to a child enrolled in a public school part-time for the
2 purpose of receiving ancillary services. A child required to attend
3 school under this subsection may be temporarily excused upon the
4 request of his or her parent for purposes agreed upon by the school
5 district and parent.

6 (2) If a six or seven year old child is required to attend public
7 school under subsection (1) of this section and that child has
8 unexcused absences, the public school in which the child is enrolled
9 shall:

10 (a) Inform the child's custodial parent, parents, or guardian by
11 a notice in writing or by telephone whenever the child has failed to
12 attend school after one unexcused absence within any month during the
13 current school year;

14 (b) Request a conference or conferences with the custodial
15 parent, parents, or guardian and child at a time reasonably
16 convenient for all persons included for the purpose of analyzing the
17 causes of the child's absences after three unexcused absences within
18 any month during the current school year. If a regularly scheduled
19 parent-teacher conference day is to take place within thirty days of
20 the third unexcused absence, then the school district may schedule
21 this conference on that day; and

22 (c) Take steps to eliminate or reduce the child's absences. These
23 steps shall include, where appropriate, adjusting the child's school
24 program or school or course assignment, providing more individualized
25 or remedial instruction, offering assistance in enrolling the child
26 in available alternative schools or programs, or assisting the parent
27 or child to obtain supplementary services that may help eliminate or
28 ameliorate the cause or causes for the absence from school.

29 (3) If a child is required to attend public school under
30 subsection (1) of this section (~~(has seven unexcused absences in a~~
31 ~~month or ten)~~), after the child's fifth unexcused absence during the
32 current school year and not later than the 15th unexcused absence (~~(is~~
33 ~~in a)~~) during the current school year, the school district shall file
34 a petition for civil action as provided in RCW 28A.225.035 against
35 the parent of the child.

36 (4) This section does not require a six or seven year old child
37 to enroll in a public or private school or to receive home-based
38 instruction. This section only applies to six or seven year old
39 children whose parents enroll them full time in public school and do

1 not formally remove them from enrollment as provided in subsection
2 (1) of this section.

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

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

28 (2) The district shall not later than the fifth unexcused absence
29 in a month:

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

32 (b) Refer a student to a community (~~truancy~~) engagement board
33 as defined in RCW 28A.225.025. The community (~~truancy~~) engagement
34 board shall enter into an agreement with the student and parent that
35 establishes school attendance requirements and take other appropriate
36 actions to reduce the child's absences; or

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

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

1 (4) If the school district fails to file a petition under this
2 section, the parent of a child with five or more unexcused absences
3 in any month during the current school year or upon the (~~tenth~~)
4 15th unexcused absence during the current school year may file a
5 petition with the juvenile court alleging a violation of RCW
6 28A.225.010.

7 (5) Petitions filed under this section may be served by certified
8 mail, return receipt requested. If such service is unsuccessful, or
9 the return receipt is not signed by the addressee, personal service
10 is required.

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

13 (1) As required under subsection (2) of this section, the office
14 of superintendent of public instruction shall collect and school
15 districts shall submit student-level truancy data in order to allow a
16 better understanding of actions taken under RCW 28A.225.030. The
17 office shall prepare an annual report to the legislature by December
18 15th of each year.

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

21 (a) The number of enrolled students and the number of unexcused
22 absences;

23 (b) The number of enrolled students with (~~ten~~) 15 or more
24 unexcused absences in a school year or five or more unexcused
25 absences in a month during a school year;

26 (c) A description of any programs or schools developed to serve
27 students who have had five or more unexcused absences in a month or
28 (~~ten~~) 15 in a year including information about the number of
29 students in the program or school and the number of unexcused
30 absences of students during and after participation in the program.
31 The school district shall also describe any placements in an approved
32 private nonsectarian school or program or certified program under a
33 court order under RCW 28A.225.090;

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

- 37 (i) Referral to a community (~~truancy~~) engagement board;
- 38 (ii) Other coordinated means of intervention;
- 39 (iii) A hearing in the juvenile court; or

1 (iv) Other less restrictive disposition (e.g., change of
2 placement, home school, alternative learning experience, residential
3 treatment); and

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

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

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

13 **Sec. 5.** RCW 28A.225.020 and 2017 c 291 s 2 are each amended to
14 read as follows:

15 (1) If a child required to attend school under RCW 28A.225.010
16 fails to attend school without valid justification, the public school
17 in which the child is enrolled shall:

18 (a) Inform the child's parent by a notice in writing or by
19 telephone whenever the child has failed to attend school after one
20 unexcused absence within any month during the current school year.
21 School officials shall inform the parent of the potential
22 consequences of additional unexcused absences. If the parent is not
23 fluent in English, the school must make reasonable efforts to provide
24 this information in a language in which the parent is fluent;

25 (b) Schedule a conference or conferences with the parent and
26 child at a time reasonably convenient for all persons included for
27 the purpose of analyzing the causes of the child's absences after
28 three unexcused absences within any month during the current school
29 year. If a regularly scheduled parent-teacher conference day is to
30 take place within thirty days of the third unexcused absence, then
31 the school district may schedule this conference on that day. If the
32 child's parent does not attend the scheduled conference, the
33 conference may be conducted with the student and school official.
34 However the parent shall be notified of the steps to be taken to
35 eliminate or reduce the child's absence; and

36 (c) At some point after the second and before the fifth unexcused
37 absence, take data-informed steps to eliminate or reduce the child's
38 absences.

1 (i) In middle school and high school, these steps must include
2 application of the Washington assessment of the risks and needs of
3 students (WARNS) or other assessment by a school district's designee
4 under RCW 28A.225.026.

5 (ii) For any child with an existing individualized education plan
6 or 504 plan, these steps must include the convening of the child's
7 individualized education plan or 504 plan team, including a behavior
8 specialist or mental health specialist where appropriate, to consider
9 the reasons for the absences. If necessary, and if consent from the
10 parent is given, a functional behavior assessment to explore the
11 function of the absence behavior shall be conducted and a detailed
12 behavior plan completed. Time should be allowed for the behavior plan
13 to be initiated and data tracked to determine progress.

14 (iii) With respect to any child, without an existing
15 individualized education plan or 504 plan, reasonably believed to
16 have a mental or physical disability or impairment, these steps must
17 include informing the child's parent of the right to obtain an
18 appropriate evaluation at no cost to the parent to determine whether
19 the child has a disability or impairment and needs accommodations,
20 related services, or special education services. This includes
21 children with suspected emotional or behavioral disabilities as
22 defined in WAC 392-172A-01035. If the school obtains consent to
23 conduct an evaluation, time should be allowed for the evaluation to
24 be completed, and if the child is found to be eligible for special
25 education services, accommodations, or related services, a plan
26 developed to address the child's needs.

27 (iv) These steps must include, where appropriate, providing an
28 available approved best practice or research-based intervention, or
29 both, consistent with the WARNS profile or other assessment, if an
30 assessment was applied, adjusting the child's school program or
31 school or course assignment, providing more individualized or
32 remedial instruction, providing appropriate vocational courses or
33 work experience, referring the child to a community (~~(truancy)~~)
34 engagement board, requiring the child to attend an alternative school
35 or program, or assisting the parent or child to obtain supplementary
36 services that might eliminate or ameliorate the cause or causes for
37 the absence from school.

38 (2) For purposes of this chapter, an "unexcused absence" means
39 that a child:

1 (a) (i) Has failed to attend the majority of hours or periods in
2 an average school day or has failed to comply with a more restrictive
3 school district policy; and

4 (ii) Has failed to meet the school district's policy for excused
5 absences; or

6 (b) Has failed to comply with alternative learning experience
7 program attendance requirements as described by the superintendent of
8 public instruction.

9 (3) If a child transfers from one school district to another
10 during the school year, the receiving school or school district shall
11 include the unexcused absences accumulated at the previous school or
12 from the previous school district for purposes of this section, RCW
13 28A.225.030, and 28A.225.015. The sending school district shall
14 provide this information to the receiving school, together with a
15 copy of any previous assessment as required under subsection (1)(c)
16 of this section, history of any best practices or researched-based
17 intervention previously provided to the child by the child's sending
18 school district, and a copy of the most recent truancy information
19 including any online or written acknowledgment by the parent and
20 child, as provided for in RCW 28A.225.005. All school districts must
21 use the standard choice transfer form for releasing a student to a
22 nonresident school district for the purposes of accessing an
23 alternative learning experience program.

24 **Sec. 6.** RCW 28A.225.025 and 2017 c 291 s 3 are each amended to
25 read as follows:

26 (1) For purposes of this chapter, "community (~~(truancy)~~)
27 engagement board" means a board established pursuant to a memorandum
28 of understanding between a juvenile court and a school district and
29 composed of members of the local community in which the child attends
30 school. Community (~~(truancy)~~) engagement boards must include members
31 who receive training regarding the identification of barriers to
32 school attendance, the use of the Washington assessment of the risks
33 and needs of students (WARNS) or other assessment tools to identify
34 the specific needs of individual children, cultural responsive
35 interactions, trauma-informed approaches to discipline, evidence-
36 based treatments that have been found effective in supporting at-risk
37 youth and their families, and the specific services and treatment
38 available in the particular school, court, community, and elsewhere.
39 Duties of a community (~~(truancy)~~) engagement board shall include, but

1 not be limited to: Identifying barriers to school attendance,
2 recommending methods for improving attendance such as connecting
3 students and their families with community services, culturally
4 appropriate promising practices, and evidence-based services such as
5 functional family therapy, suggesting to the school district that the
6 child enroll in another school, an alternative education program, an
7 education center, a skill center, a dropout prevention program, or
8 another public or private educational program, or recommending to the
9 juvenile court that a juvenile be offered the opportunity for
10 placement in a HOPE center or crisis residential center, if
11 appropriate.

12 (2) The legislature finds that utilization of community
13 (~~(truancy)~~) engagement boards is the preferred means of intervention
14 when preliminary methods to eliminate or reduce unexcused absences as
15 required by RCW 28A.225.020 have not been effective in securing the
16 child's attendance at school. The legislature intends to encourage
17 and support the development and expansion of community (~~(truancy)~~)
18 engagement boards. Operation of a school truancy board does not
19 excuse a district from the obligation of filing a petition within the
20 requirements of RCW 28A.225.015(3).

21 **Sec. 7.** RCW 28A.225.026 and 2017 c 291 s 4 are each amended to
22 read as follows:

23 (1) By the beginning of the 2017-18 school year, juvenile courts
24 must establish, through a memorandum of understanding with each
25 school district within their respective counties, a coordinated and
26 collaborative approach to address truancy through the establishment
27 of a community (~~(truancy)~~) engagement board or, with respect to
28 certain small districts, through other means as provided in
29 subsection (3) of this section.

30 (2) Except as provided in subsection (3) of this section, each
31 school district must enter into a memorandum of understanding with
32 the juvenile court in the county in which it is located with respect
33 to the operation of a community (~~(truancy)~~) engagement board. A
34 community (~~(truancy)~~) engagement board may be operated by a juvenile
35 court, a school district, or a collaboration between both entities,
36 so long as the agreement is memorialized in a memorandum of
37 understanding. For a school district that is located in more than one
38 county, the memorandum of understanding shall be with the juvenile
39 court in the county that acts as the school district's treasurer.

1 (3) A school district with fewer than three hundred students must
2 enter into a memorandum of understanding with the juvenile court in
3 the county in which it is located with respect to: (a) The operation
4 of a community ((~~truancy~~)) engagement board; or (b) addressing
5 truancy through other coordinated means of intervention aimed at
6 identifying barriers to school attendance, and connecting students
7 and their families with community services, culturally appropriate
8 promising practices, and evidence-based services such as functional
9 family therapy. School districts with fewer than three hundred
10 students may work cooperatively with other school districts or the
11 school district's educational service district to ensure access to a
12 community ((~~truancy~~)) engagement board or to provide other
13 coordinated means of intervention.

14 (4) All school districts must designate, and identify to the
15 local juvenile court and to the office of the superintendent of
16 public instruction, a person or persons to coordinate school district
17 efforts to address excessive absenteeism and truancy, including tasks
18 associated with: Outreach and conferences pursuant to RCW
19 28A.225.018; entering into a memorandum of understanding with the
20 juvenile court; establishing protocols and procedures with the court;
21 coordinating trainings; sharing evidence-based and culturally
22 appropriate promising practices; identifying a person within every
23 school to serve as a contact with respect to excessive absenteeism
24 and truancy; and assisting in the recruitment of community
25 ((~~truancy~~)) engagement board members.

26 (5) As has been demonstrated by school districts and county
27 juvenile courts around the state that have worked together and led
28 the way with community ((~~truancy~~)) engagement boards, success has
29 resulted from involving the entire community and leveraging existing
30 dollars from a variety of sources, including public and private,
31 local and state, and court, school, and community. In emulating this
32 coordinated and collaborative approach statewide pursuant to local
33 memoranda of understanding, courts and school districts are
34 encouraged to create strong community-wide partnerships and to
35 leverage existing dollars and resources.

36 **Sec. 8.** RCW 28A.225.0261 and 2016 c 205 s 17 are each amended to
37 read as follows:

1 (1) By requiring an initial stay of truancy petitions for
2 diversion to community (~~(truancy)~~) engagement boards, the legislature
3 intends to achieve the following outcomes:

4 (a) Increased access to community (~~(truancy)~~) engagement boards
5 and other truancy early intervention programs for parents and
6 children throughout the state;

7 (b) Increased quantity and quality of truancy intervention and
8 prevention efforts in the community;

9 (c) A reduction in the number of truancy petitions that result in
10 further proceedings by juvenile courts, other than dismissal of the
11 petition, after the initial stay and diversion to a community
12 (~~(truancy)~~) engagement board;

13 (d) A reduction in the number of truancy petitions that result in
14 a civil contempt proceeding or detention order; and

15 (e) Increased school attendance.

16 (2) No later than January 1, 2021, the Washington state institute
17 for public policy is directed to evaluate the effectiveness of
18 chapter 205, Laws of 2016. An initial report scoping of the
19 methodology to be used to review chapter 205, Laws of 2016 shall be
20 submitted to the fiscal committees of the legislature by January 1,
21 2018. The initial report must identify any data gaps that could
22 hinder the ability of the institute to conduct its review.

23 **Sec. 9.** RCW 28A.225.027 and 2016 c 205 s 20 are each amended to
24 read as follows:

25 (1) Subject to funds appropriated for this purpose, the office of
26 the superintendent of public instruction shall allocate to community
27 (~~(truancy)~~) engagement boards grant funds that may be used to
28 supplement existing funds in order to pay for training for board
29 members or the provision of services and treatment to children and
30 their families.

31 (2) The superintendent of public instruction must select grant
32 recipients based on the criteria in this section. This is a
33 competitive grant process. A prerequisite to applying for either or
34 both grants is a memoranda of understanding, between a school
35 district and a court, to institute a new or maintain an existing
36 community (~~(truancy)~~) engagement board that meets the requirements of
37 RCW 28A.225.025.

38 (3) Successful applicants for an award of grant funds to
39 supplement existing funds to pay for the training of community

1 (~~truancy~~) engagement board members must commit to the provision of
2 training to board members regarding the identification of barriers to
3 school attendance, the use of the Washington assessment of the risks
4 and needs of students (WARNS) or other assessment tools to identify
5 the specific needs of individual children, trauma-informed approaches
6 to discipline, research about adverse childhood experiences,
7 evidence-based treatments and culturally appropriate promising
8 practices, as well as the specific academic and community services
9 and treatments available in the school, court, community, and
10 elsewhere. This training may be provided by educational service
11 districts.

12 (4) Successful applicants for an award of grant funds to
13 supplement existing funds to pay for services and treatments provided
14 to children and their families must commit to the provision of
15 academic services such as tutoring, credit retrieval and school
16 reengagement supports, community services, and evidence-based
17 treatments that have been found to be effective in supporting at-risk
18 youth and their families, such as functional family therapy, or those
19 that have been shown to be culturally appropriate promising
20 practices.

21 **Sec. 10.** RCW 28A.225.035 and 2016 c 205 s 8 are each amended to
22 read as follows:

23 (1) A petition for a civil action under RCW 28A.225.030 or
24 28A.225.015 shall consist of a written notification to the court
25 alleging that:

26 (a) The child has unexcused absences as described in RCW
27 28A.225.030(1) during the current school year;

28 (b) Actions taken by the school district have not been successful
29 in substantially reducing the child's absences from school; and

30 (c) Court intervention and supervision are necessary to assist
31 the school district or parent to reduce the child's absences from
32 school.

33 (2) The petition shall set forth the name, date of birth, school,
34 address, gender, race, and ethnicity of the child and the names and
35 addresses of the child's parents, and shall set forth the languages
36 in which the child and parent are fluent, whether there is an
37 existing individualized education program, and the child's current
38 academic status in school.

1 (3) The petition shall set forth facts that support the
2 allegations in this section and shall generally request relief
3 available under this chapter and provide information about what the
4 court might order under RCW 28A.225.090.

5 (4)(a) When a petition is filed under RCW 28A.225.030 or
6 28A.225.015, it shall initially be stayed by the juvenile court, and
7 the child and the child's parent must be referred to a community
8 (~~(truaney)~~) engagement board or other coordinated means of
9 intervention as set forth in the memorandum of understanding under
10 RCW 28A.225.026. The community (~~(truaney)~~) engagement board must
11 provide to the court a description of the intervention and prevention
12 efforts to be employed to substantially reduce the child's unexcused
13 absences, along with a timeline for completion.

14 (b) If a community (~~(truaney)~~) engagement board or other
15 coordinated means of intervention is not in place as required by RCW
16 28A.225.026, the juvenile court shall schedule a hearing at which the
17 court shall consider the petition.

18 (5) When a referral is made to a community (~~(truaney)~~) engagement
19 board, the (~~(truaney)~~) community engagement board must meet with the
20 child, a parent, and the school district representative and enter
21 into an agreement with the petitioner and respondent regarding
22 expectations and any actions necessary to address the child's truancy
23 within twenty days of the referral. If the petition is based on RCW
24 28A.225.015, the child shall not be required to attend and the
25 agreement under this subsection shall be between the (~~(truaney)~~)
26 community engagement board, the school district, and the child's
27 parent. The court may permit the (~~(truaney)~~) community engagement
28 board or truancy prevention counselor to provide continued
29 supervision over the student, or parent if the petition is based on
30 RCW 28A.225.015.

31 (6) If the community (~~(truaney)~~) engagement board fails to reach
32 an agreement, or the parent or student does not comply with the
33 agreement within the timeline for completion set by the community
34 (~~(truaney)~~) engagement board, the community (~~(truaney)~~) engagement
35 board shall return the case to the juvenile court. The stay of the
36 petition shall be lifted, and the juvenile court shall schedule a
37 hearing at which the court shall consider the petition.

38 (7)(a) Notwithstanding the provisions in subsection (4)(a) of
39 this section, a hearing shall not be required if other actions by the
40 court would substantially reduce the child's unexcused absences. Such

1 actions may include referral to an existing community (~~(truancy)~~)
2 engagement board, use of the Washington assessment of risks and needs
3 of students (WARNS) or other assessment tools to identify the
4 specific needs of individual children, the provision of community-
5 based services, and the provision of evidence-based treatments that
6 have been found to be effective in supporting at-risk youth and their
7 families. When a juvenile court hearing is held, the court shall:

8 (i) Separately notify the child, the parent of the child, and the
9 school district of the hearing. If the parent is not fluent in
10 English, notice should be provided in a language in which the parent
11 is fluent as indicated on the petition pursuant to RCW
12 28A.225.030(1);

13 (ii) Notify the parent and the child of their rights to present
14 evidence at the hearing; and

15 (iii) Notify the parent and the child of the options and rights
16 available under chapter 13.32A RCW.

17 (b) If the child is not provided with counsel, the advisement of
18 rights must take place in court by means of a colloquy between the
19 court, the child if eight years old or older, and the parent.

20 (8) (a) The court may require the attendance of the child if eight
21 years old or older, the parents, and the school district at any
22 hearing on a petition filed under RCW 28A.225.030.

23 (b) The court may not issue a bench warrant for a child for
24 failure to appear at a hearing on an initial truancy petition filed
25 under RCW 28A.225.030. If there has been proper service, the court
26 may instead enter a default order assuming jurisdiction under the
27 terms specified in subsection (12) of this section.

28 (9) A school district is responsible for determining who shall
29 represent the school district at hearings on a petition filed under
30 RCW 28A.225.030 or 28A.225.015.

31 (10) The court may permit the first hearing to be held without
32 requiring that either party be represented by legal counsel, and to
33 be held without a guardian ad litem for the child under RCW 4.08.050.
34 At the request of the school district, the court shall permit a
35 school district representative who is not an attorney to represent
36 the school district at any future hearings.

37 (11) If the child is in a special education program or has a
38 diagnosed mental or emotional disorder, the court shall inquire as to
39 what efforts the school district has made to assist the child in
40 attending school.

1 (12) If the allegations in the petition are established by a
2 preponderance of the evidence, the court shall grant the petition and
3 enter an order assuming jurisdiction to intervene for the period of
4 time determined by the court, after considering the facts alleged in
5 the petition and the circumstances of the juvenile, to most likely
6 cause the juvenile to return to and remain in school while the
7 juvenile is subject to this chapter. In no case may the order expire
8 before the end of the school year in which it is entered.

9 (13)(a) If the court assumes jurisdiction, the school district
10 shall periodically report to the court any additional unexcused
11 absences by the child, actions taken by the school district, and an
12 update on the child's academic status in school at a schedule
13 specified by the court.

14 (b) The first report under this subsection (13) must be received
15 no later than three months from the date that the court assumes
16 jurisdiction.

17 (14) Community (~~(truancy)~~) engagement boards and the courts shall
18 coordinate, to the extent possible, proceedings and actions
19 pertaining to children who are subject to truancy petitions and at-
20 risk youth petitions in RCW 13.32A.191 or child in need of services
21 petitions in RCW 13.32A.140.

22 (15) If after a juvenile court assumes jurisdiction in one county
23 the child relocates to another county, the juvenile court in the
24 receiving county shall, upon the request of a school district or
25 parent, assume jurisdiction of the petition filed in the previous
26 county.

27 **Sec. 11.** RCW 28A.225.090 and 2019 c 312 s 13 are each amended to
28 read as follows:

29 (1) A court may order a child subject to a petition under RCW
30 28A.225.035 to do one or more of the following:

31 (a) Attend the child's current school, and set forth minimum
32 attendance requirements, which shall not consider a suspension day as
33 an unexcused absence;

34 (b) If there is space available and the program can provide
35 educational services appropriate for the child, order the child to
36 attend another public school, an alternative education program,
37 center, a skill center, dropout prevention program, or another public
38 educational program;

1 (c) Attend a private nonsectarian school or program including an
2 education center. Before ordering a child to attend an approved or
3 certified private nonsectarian school or program, the court shall:
4 (i) Consider the public and private programs available; (ii) find
5 that placement is in the best interest of the child; and (iii) find
6 that the private school or program is willing to accept the child and
7 will not charge any fees in addition to those established by contract
8 with the student's school district. If the court orders the child to
9 enroll in a private school or program, the child's school district
10 shall contract with the school or program to provide educational
11 services for the child. The school district shall not be required to
12 contract for a weekly rate that exceeds the state general
13 apportionment dollars calculated on a weekly basis generated by the
14 child and received by the district. A school district shall not be
15 required to enter into a contract that is longer than the remainder
16 of the school year. A school district shall not be required to enter
17 into or continue a contract if the child is no longer enrolled in the
18 district;

19 (d) Submit to a substance abuse assessment if the court finds on
20 the record that such assessment is appropriate to the circumstances
21 and behavior of the child and will facilitate the child's compliance
22 with the mandatory attendance law and, if any assessment, including a
23 urinalysis test ordered under this subsection indicates the use of
24 controlled substances or alcohol, order the minor to abstain from the
25 unlawful consumption of controlled substances or alcohol and adhere
26 to the recommendations of the substance abuse assessment at no
27 expense to the school; or

28 (e) Submit to a mental health evaluation or other diagnostic
29 evaluation and adhere to the recommendations of the drug assessment,
30 at no expense to the school, if the court finds on the court records
31 that such evaluation is appropriate to the circumstances and behavior
32 of the child, and will facilitate the child's compliance with the
33 mandatory attendance law.

34 (2)(a) If the child fails to comply with the court order, the
35 court may impose:

36 (i) Community restitution;

37 (ii) Nonresidential programs with intensive wraparound services;

38 (iii) A requirement that the child meet with a mentor for a
39 specified number of times; or

1 (iv) Other services and interventions that the court deems
2 appropriate.

3 (b) If the child continues to fail to comply with the court order
4 and the court makes a finding that other measures to secure
5 compliance have been tried but have been unsuccessful and no less
6 restrictive alternative is available, the court may order the child
7 to be subject to detention, as provided in RCW 7.21.030(2)(e).
8 Failure by a child to comply with an order issued under this
9 subsection shall not be subject to detention for a period greater
10 than that permitted pursuant to a civil contempt proceeding against a
11 child under chapter 13.32A RCW. Detention ordered under this
12 subsection may be for no longer than seventy-two hours. Detention
13 ordered under this subsection shall preferably be served at a secure
14 crisis residential center close to the child's home rather than in a
15 juvenile detention facility. A warrant of arrest for a child under
16 this subsection may not be served on a child inside of school during
17 school hours in a location where other students are present.

18 (3) Any parent violating any of the provisions of either RCW
19 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than
20 twenty-five dollars for each day of unexcused absence from school.
21 The court shall remit fifty percent of the fine collected under this
22 section to the child's school district. It shall be a defense for a
23 parent charged with violating RCW 28A.225.010 to show that he or she
24 exercised reasonable diligence in attempting to cause a child in his
25 or her custody to attend school or that the child's school did not
26 perform its duties as required in RCW 28A.225.020. The court may
27 order the parent to provide community restitution instead of imposing
28 a fine. Any fine imposed pursuant to this section may be suspended
29 upon the condition that a parent charged with violating RCW
30 28A.225.010 shall participate with the school and the child in a
31 supervised plan for the child's attendance at school or upon
32 condition that the parent attend a conference or conferences
33 scheduled by a school for the purpose of analyzing the causes of a
34 child's absence.

35 (4) If a child continues to be truant after entering into a
36 court-approved order with the (~~truancy~~) community engagement board
37 under RCW 28A.225.035, the juvenile court shall find the child in
38 contempt, and the court may order the child to be subject to
39 detention, as provided in RCW 7.21.030(2)(e), or may impose
40 alternatives to detention such as meaningful community restitution.

1 Failure by a child to comply with an order issued under this
2 subsection may not subject a child to detention for a period greater
3 than that permitted under a civil contempt proceeding against a child
4 under chapter 13.32A RCW.

5 (5) Nothing in this section shall be construed to limit the
6 court's inherent contempt power or curtail its exercise.

7 (6) Subsections (1), (2), and (4) of this section shall not apply
8 to a six or seven year old child required to attend public school
9 under RCW 28A.225.015.

10 **Sec. 12.** RCW 28A.225.090 and 2019 c 312 s 14 are each amended to
11 read as follows:

12 (1) A court may order a child subject to a petition under RCW
13 28A.225.035 to do one or more of the following:

14 (a) Attend the child's current school, and set forth minimum
15 attendance requirements, which shall not consider a suspension day as
16 an unexcused absence;

17 (b) If there is space available and the program can provide
18 educational services appropriate for the child, order the child to
19 attend another public school, an alternative education program,
20 center, a skill center, dropout prevention program, or another public
21 educational program;

22 (c) Attend a private nonsectarian school or program including an
23 education center. Before ordering a child to attend an approved or
24 certified private nonsectarian school or program, the court shall:

25 (i) Consider the public and private programs available; (ii) find
26 that placement is in the best interest of the child; and (iii) find
27 that the private school or program is willing to accept the child and
28 will not charge any fees in addition to those established by contract
29 with the student's school district. If the court orders the child to
30 enroll in a private school or program, the child's school district
31 shall contract with the school or program to provide educational
32 services for the child. The school district shall not be required to
33 contract for a weekly rate that exceeds the state general
34 apportionment dollars calculated on a weekly basis generated by the
35 child and received by the district. A school district shall not be
36 required to enter into a contract that is longer than the remainder
37 of the school year. A school district shall not be required to enter
38 into or continue a contract if the child is no longer enrolled in the
39 district;

1 (d) Submit to a substance abuse assessment if the court finds on
2 the record that such assessment is appropriate to the circumstances
3 and behavior of the child and will facilitate the child's compliance
4 with the mandatory attendance law and, if any assessment, including a
5 urinalysis test ordered under this subsection indicates the use of
6 controlled substances or alcohol, order the minor to abstain from the
7 unlawful consumption of controlled substances or alcohol and adhere
8 to the recommendations of the substance abuse assessment at no
9 expense to the school; or

10 (e) Submit to a mental health evaluation or other diagnostic
11 evaluation and adhere to the recommendations of the drug assessment,
12 at no expense to the school, if the court finds on the court records
13 that such evaluation is appropriate to the circumstances and behavior
14 of the child, and will facilitate the child's compliance with the
15 mandatory attendance law.

16 (2) If the child fails to comply with the court order, the court
17 may impose:

18 (a) Community restitution;

19 (b) Nonresidential programs with intensive wraparound services;

20 (c) A requirement that the child meet with a mentor for a
21 specified number of times; or

22 (d) Other services and interventions that the court deems
23 appropriate.

24 (3) Any parent violating any of the provisions of either RCW
25 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than
26 twenty-five dollars for each day of unexcused absence from school.
27 The court shall remit fifty percent of the fine collected under this
28 section to the child's school district. It shall be a defense for a
29 parent charged with violating RCW 28A.225.010 to show that he or she
30 exercised reasonable diligence in attempting to cause a child in his
31 or her custody to attend school or that the child's school did not
32 perform its duties as required in RCW 28A.225.020. The court may
33 order the parent to provide community restitution instead of imposing
34 a fine. Any fine imposed pursuant to this section may be suspended
35 upon the condition that a parent charged with violating RCW
36 28A.225.010 shall participate with the school and the child in a
37 supervised plan for the child's attendance at school or upon
38 condition that the parent attend a conference or conferences
39 scheduled by a school for the purpose of analyzing the causes of a
40 child's absence.

1 (4) If a child continues to be truant after entering into a
2 court-approved order with the (~~truaney~~) community engagement board
3 under RCW 28A.225.035, the juvenile court shall find the child in
4 contempt, and the court may impose alternatives to detention
5 consistent with best practice models for reengagement with school.

6 (5) Nothing in this section shall be construed to limit the
7 court's inherent contempt power or curtail its exercise.

8 (6) Subsections (1), (2), and (4) of this section shall not apply
9 to a six or seven year old child required to attend public school
10 under RCW 28A.225.015.

11 NEW SECTION. **Sec. 13.** Section 11 of this act expires July 1,
12 2021.

13 NEW SECTION. **Sec. 14.** Section 12 of this act is necessary for
14 the immediate preservation of the public peace, health, or safety, or
15 support of the state government and its existing public institutions,
16 and takes effect July 1, 2021.

17 NEW SECTION. **Sec. 15.** Except for section 12 of this act, this
18 act is necessary for the immediate preservation of the public peace,
19 health, or safety, or support of the state government and its
20 existing public institutions, and takes effect immediately.

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