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# SUPERINTENDENT OF PUBLIC INSTRUCTION

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September 21, 2017

( X ) Action Required

( X ) Informational

BULLETIN NO. 077-17 SYSTEM AND SCHOOL IMPROVEMENT

TO: Educational Service District Superintendents  
School District Superintendents  
School Building Principals  
School District Business Managers  
Attendance and Truancy Program Staff  
Persons responsible for filing Truancy Petitions  
Charter School Administrators

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Changes to Attendance and Truancy Laws

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Rhett Nelson, Program Manager, Online Learning  
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## PURPOSE

[Second Substitute House Bill 1170 \(2SHB 1170\)](#) was passed into law following the 2017 Legislative Session, amending Washington's attendance and truancy laws ([RCW 28A.225](#)). The new law clarifies responsibilities of schools and courts, creates more flexibility for districts, and adds new reporting requirements.

## SUMMARY OF LAW CHANGES

**Conferences:** The requirement for a conference with parents changes from **two** unexcused absences to **three** unexcused absences. The conference may be conducted with just the student. If the parent does not participate, the school must notify the parent of the steps agreed to in the meeting to eliminate the absences.

**Risks and Needs Assessment:** Schools may now use **other assessments** besides the Washington Assessment of Risks and Needs of Students (WARNS). Schools should now administer the needs

assessment **between the second and fifth unexcused absences**. It is now **only** required for **middle and high school students**.

**Individual Education Plan (IEP) or 504 Plan:** If a student has an IEP or 504 plan, the **IEP or 504 plan team members must be included** in creating the plan to address and eliminate behaviors relating to truancy. The new law requires districts to inform parents of their rights if there is a possibility that the student may have a disability or impairment that could warrant an IEP or 504 plan.

**Community Truancy Boards:** The new law changes the training requirements of Community Truancy Board (CTB) members. Where previously **all** members must have received the required trainings, the law now states the CTB must **include** members who have had training in the following areas:

- Identification of barriers to attendance,
- Use of the WARNS or other assessments to identify the specific needs of children,
- Culturally responsive interactions,
- Trauma informed discipline approaches,
- Evidence-based treatments found to be effective in supporting at-risk youth and their families, and
- Specific services and treatments available in their community.

The new law requires districts with more than **300 students** (increased from 200 students) to enter into a Memorandum of Understanding (MOU) with their local juvenile court to establish a coordinated and collaborative approach to addressing truancy through CTBs.

Districts with fewer than 300 students must enter into an MOU to form a CTB, or address truancy through other coordinated means of intervention and identification and removal of barriers to attendance. These districts may work cooperatively with their Educational Service District or other school districts to ensure access to a CTB or other coordinated means of intervention.

Documentation provided to the courts by the district **no longer must be signed** by parents, but must **have been shared** with parents.

**Reporting Requirements:** Requires each district identify and designate a person or persons to both the local juvenile court **and the Office of Superintendent of Public Instruction (OSPI)** to coordinate the district's efforts to address excessive absenteeism and truancy. Designated person(s) must register here: <http://www.k12.wa.us/GATE/Truancy/default.aspx>.

The new law requires the collection of student-level data for the purposes of disaggregation. Data collection will include the following:

- If the truancy petition resulted in referral to a community truancy board, other coordinated means of intervention, a hearing in the juvenile court, or other less restrictive disposition (e.g., change of placement, home school, alternative learning experience, residential treatment), and

- Each instance of imposition of detention for failure to comply with a court order under [RCW 28A.225.090](#) with a statement of the reason for each instance of detention.

OSPI's K–12 Data Governance [group](#) will develop protocols and guidance for data collection.

**Choice Transfer:** Districts must use the choice transfer for releasing a student to attend a nonresident school district for the purposes of accessing an alternative learning experience program.

**Defining Truancy in Alternative Learning:** OSPI is tasked with creating rules for a uniform and consistent definition of truancy in alternative learning experience settings and for establishing procedures for addressing truancy that leverage the existing systems to facilitate truancy actions between school districts and courts when the student is receiving their education in a nonresident district. These rules must clarify the responsibility of the school district(s) in the event the choice transfer is rescinded. For questions regarding Choice Transfer and truancy rules, please contact Rhett Nelson, Online Learning Program Manager, at 360-725-4971 or email [rhett.nelson@k12.wa.us](mailto:rhett.nelson@k12.wa.us).

#### **INFORMATION AND ASSISTANCE**

For questions regarding this bulletin and truancy, please contact Laurie Shannon, at 360-725-4472 or email [laurie.shannon@k12.wa.us](mailto:laurie.shannon@k12.wa.us).

For questions regarding attendance and chronic absenteeism, please contact Krissy Johnson, at 360-725-6045 or email [krissy.johnson@k12.wa.us](mailto:krissy.johnson@k12.wa.us).

For questions regarding Choice Transfer and truancy rules, please contact Rhett Nelson, at 360-725-4971 or email [rhett.nelson@k12.wa.us](mailto:rhett.nelson@k12.wa.us).

The OSPI TTY number is 360-664-3631.

This bulletin is also available on the OSPI website at <http://www.k12.wa.us/BulletinsMemos/bulletins2017.aspx>.

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BULLETIN NO. 077-17 SSI  
Page 4  
September 21, 2017

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