

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 290

50th Legislature, 1st Session, 2011

Tracking Number: .184461.1

Short Title: Defining “Habitual Truant”

Sponsor(s): Senators Cynthia Nava and Mary Jane M. García

Analyst: Ally Hudson

Date: February 7, 2011

Bill Summary:

SB 290 amends a section of the *Public School Code* to clarify that the definition of “habitual truancy” means a student who has accumulated the equivalent of 10 days or more of unexcused absences within a school year.

Fiscal Impact:

SB 290 does not contain an appropriation.

Substantive Issues:

According to an analysis by the Public Education Department (PED):

- the *Habitually Truant School Type Report* indicates that 12.5 percent of students were identified as habitual truants in school year 2008-2009; and
- SB 290 makes the law clearer, but it does not change current practice because PED currently collects and reports data for habitual truancy as meaning 10 days.

Background:

In 2003, legislation endorsed by the Legislative Education Study Committee (LESC) included the *Family and Youth Resource Act*, which, although not directed at truancy *per se*, addressed some of the causes of truancy. To continue to address the issue of truancy, in February 2008, at the request of the Chair, the LESC Director convened the LESC Truancy Work Group. Over the course of the interim, the work group identified several best practices, including:

- the case management approach;
- pre-adjudication training sessions for parents and students;
- age- and grade-level interventions;
- school-based behavioral health services; and
- community coordination teams.

Among its other findings, the work group determined that:

- district practices vary widely, especially in terms of intervention and enforcement methods;
- the *Public School Code* and the *Children's Code* define truancy terms in different ways;
- some districts lack an adequate number of trained staff; that the guidance from PED is insufficient; and
- a comprehensive approach would be the most effective means of addressing truancy statewide.

Most recently, LESC-endorsed legislation in 2009 amended the *Compulsory School Attendance Law* to establish a consistent method to count unexcused absences. The bill also:

- required PED to approve school district and charter school attendance policies;
- changed the term “truant” to “student in need of early intervention”;
- required schools to notify parents by regular mail rather than certified mail;
- required schools to document attempts to provide parental notice and to intervene;
- required PED to compile and verify absence rates;
- permitted the juvenile probation office (JPO) to send a notice to a parent directing the parent and student to report to the JPO to discuss student or family services; and
- amended the *Children's Code* to change the definition of a “family in need of court-ordered services.”

Related Bills:

SB 291 *Compulsory School Attendance Law Enforcement*

SB 311 *Parent Accountability for Child Truancy*