



SF0015

Absenteeism and truancy.

Sponsored By: Joint Education Interim Committee

AN ACT relating to compulsory attendance; amending responsibilities for enforcing attendance requirements among school districts, district attorneys, parents and others; providing that a child subjected to willful absenteeism is neglected for purposes of the Child Protection Act; providing that a child who is an habitual truant is a child in need of supervision; creating definitions; amending penalties; requiring rulemaking; and providing for effective dates.

12/13/2019 Bill Number Assigned
2/7/2020 S Received for Introduction
2/10/2020 S Introduced and Referred to S04 - Education 27-2-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Nays: Senator(s) Bouchard, James

Excused: Senator Agar

Ayes 27 **Nays** 2 **Excused** 1 **Absent** 0 **Conflicts** 0

2/12/2020 S04 - Education:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Coe, Ellis, Hutchings, Landen, Rothfuss

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/12/2020 S Placed on General File

SF0015SS001.01/ADOPTED **[DIVIDED AMENDMENT]**
(CORRECTED COPY)

Page 4-line 3 After "attendance" insert ";"; strike ". For purposes of this paragraph,".

Page 4-lines 4 through 9 Strike all existing language; delete all new language.

Page 4-line 17 After "21-3-111(a)(xvi)" insert ";"; strike balance of line.

Page 4-lines 18 through 21 Strike all existing language; delete all new language.

Page 5-line 4 After "authority" insert "with regard to school attendance". COE, CHAIRMAN

SF0015SS001.02/FAILED **[DIVIDED AMENDMENT]**
(CORRECTED COPY)

Page 7-lines 7 through 9 Delete entirely and insert "~~twenty-five dollars (\$25.00)~~one hundred fifty dollars (\$150.00) or by imprisonment in the county jail not more than ~~ten (10) days~~twenty-four (24) hours, or ~~by both. such fine and imprisonment.~~". COE, CHAIRMAN

SF0015SW001/ADOPTED

Page 1-line 8 After "penalties;" insert "requiring rulemaking;".

Page 3-line 18 Before "The" insert "Except as provided in paragraph (xvi) of this subsection,".

Page 3-line 21 Before "Define" insert "The board of trustees in each school district shall".

Page 4-line 2 Reinsert stricken "rules"; delete "policies".

Page 4-line 16 Strike "policies" and insert "rules".

Page 5-line 4 Delete "policies" and insert "rules".

Page 5-line 9 Delete "policies" and insert "rules".

Page 5-line 18 Strike "policy" and insert "rules and policies".

Page 8-line 19 Delete "policies" and insert "rules".

Page 8-line 20 Delete "July 1, 2020" and insert "September 1, 2020".

Page 9-line 1 Delete "July 1, 2020" and insert "September 1, 2020". ELLIS

SF0015SW002/WITHDRAWN

SF0015SW003/FAILED

Page 3-line 23 After "21-4-101" insert "and establish the number of unexcused absences that triggers board action on habitual truancy or willful absenteeism at not more than five (5) absences". ELLIS

SF0015SW004/FAILED

Page 1-line 15 After "creating" delete "a".

Page 2-line 1 Delete "paragraph (vii)" and insert "paragraphs (vii) and (viii)".

Page 5-after line 6 Insert and renumber as necessary:
"(vii) "Indian child," "Indian child's tribe," "domicile" and "reservation" mean as defined in the federal Indian Welfare Act, 25, U.S.C. 1903-63."

Page 5-line 8 Delete "(vii)" and insert "(viii)".

Page 7-line 11 After "**attorney**" insert "**and tribe**".

Page 7-line 12 After "**truancy**" insert "**or willful absenteeism**".

Page 7-lines 14 through 22 Delete entirely.

Page 8-lines 1 through 16 Delete entirely including the Ellis committee of the whole amendment (SF0015SW002/A) to these lines and insert:

"(a) When the board of trustees of any school district shall determine that a child is an habitual truant as defined by this article the board or its attendance officer shall:

(i) Notify the district attorney who shall then initiate proceedings in the interest of the child under the Juvenile Justice Act, W.S. 14-6-201 through 14-6-252, Children In Need of Supervision Act, W.S. 14-6-401 through 14-6-440, or the Child Protection Act, W.S. 14-3-401 through 14-3-441, as appropriate;

(ii) If the child is Indian and resides or is domiciled within an Indian reservation, and attends school on the reservation, notify the Indian child's tribe so that proceedings may be initiated under applicable tribal codes;

(iii) If the child is Indian and resides or is domiciled within an Indian reservation, and attends school off the reservation, notify the district attorney who shall then notify the Indian child's tribe and initiate proceedings in the interest of the child under the Juvenile Justice Act, Child In Need of Supervision Act or the Child Protection Act, as appropriate.

(b) When the board of trustees of any school district shall determine that a child is subject to willful absenteeism as defined by this article the board or its attendance officer shall:

(i) Notify the district attorney who shall then initiate proceedings in the interest of the child under the Children in Need of Supervision Act or Child Protection Act, as appropriate;

(ii) If the child is Indian and resides or is domiciled within an Indian reservation, and attends school on the reservation, notify the child's tribe so that proceedings may be initiated under applicable tribal codes;

(iii) If the child is Indian and neither resides nor is domiciled within an Indian reservation, notify the district attorney, who shall then notify the child's tribe and initiate proceedings in the interest of the child." ELLIS

SF0015SW005/ADOPTED

Page 1-line 13 Delete "14-3-402(a)(xii) by creating a new".

Page 1-line 14 Delete "subparagraph (C)" and insert "14-3-202(a)(vii)".

Page 2-lines 4 through 11 Delete entirely and insert:

"14-3-202. Definitions.

(a) As used in W.S. 14-3-201 through 14-3-216:

(vii) "Neglect" means a failure or refusal by those responsible for the child's welfare to provide adequate care, maintenance, supervision, education or medical, surgical or any other care necessary for the child's well being. "Neglect" as applied to "education" in this paragraph includes willful absenteeism as defined in W.S. 21-4-101(a)(vii). Treatment given in good faith by spiritual means alone, through prayer, by a duly accredited practitioner in accordance with the tenets and practices of a recognized church or religious denomination is not child neglect for that reason alone;". PERKINS

SF0015SW006/ADOPTED

Page 4-line 3 Delete the Senate standing committee amendment (SF0015SS001/A) to this line and further amend as follows: after "paragraph," insert "a preapproved absence or an absence due to the illness, injury or health care needs of the student or a death or serious illness in the student's family shall not constitute an unexcused absence;". ELLIS

2/18/2020 S COW:Passed

SF0015S2001/ADOPTED

Page 7-line 11 After "**attorney**" insert "**and tribe**".

Page 7-line 12 After "**truancy**" insert "**or willful absenteeism**".

Page 7-lines 14 through 22 Delete entirely.

Page 8-lines 1 through 16 Delete entirely and insert:

"When the board of trustees of any school district shall determine that a child is an habitual truant or is subject to willful absenteeism as defined by this article the board or its attendance officer shall notify the district attorney who ~~shall then may~~ initiate proceedings in the interest of the child under the Juvenile Justice Act, W.S. 14-6-201 through 14-6-252, Children In Need of Supervision Act, W.S. 14-6-401 through 14-6-440, or the Child Protection Act, W.S. 14-3-401 through 14-3-441, as appropriate. If the child is an Indian child as defined in the federal Indian Child Welfare Act (ICWA), 25 U.S.C. 1901 et seq., the district attorney shall notify the child's tribe and may initiate proceedings in the interest of the child.". ELLIS

2/19/2020 S 2nd Reading:Passed

2/20/2020 S 3rd Reading:Passed 29-1-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Nays: Senator Biteman

Ayes 29 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/21/2020 H Received for Introduction

2/24/2020 H Introduced and Referred to H04 - Education

3/2/2020 H04 - Education:Recommend Amend and Do Pass 8-1-0-0-0

ROLL CALL

Page 6-line 16 Delete all new language and insert "under W.S. 21-3-110(a)(xxxvii)".

Page 6-line 19 Delete "rules under W.S. 21-3-111(a)(xvi)" and insert "policies under W.S. 21-3-110(a)(xxxvii)".

Page 8-line 6 Strike "Juvenile Justice Act"; delete ", W.S.".

Page 8-line 7 Delete line through "14-6-252,".

Page 8-after line 14 Insert:
"Section 2. W.S. 21-3-111(a)(xvi) is repealed."

Page 8-line 16 Delete "Section 2." and insert "Section 3."

Page 8-line 17 Delete "rules" and insert "policies".

Page 8-line 20 Delete "Section 3." and insert "Section 4."

Page 9-line 2 Delete "Sections 2 and 3" and insert "Sections 3 and 4". NORTHROP, CHAIRMAN

SF0015HW001/ADOPTED (TO ENGROSSED COPY)

Page 5-line 14 Strike "in any one (1) school".

Page 5-line 15 Strike "year". NORTHROP

3/2/2020 H COW:Failed 20-38-2-0-0

ROLL CALL

Ayes: Representative(s) Brown, Crank, Eklund, Eyre, Furphy, Haley, Harshman, Kirkbride, Larsen Lloyd, Macguire, Nicholas, Northrup, Obermueller, Paxton, Pownall, Simpson, Stith, Washut, Wilson, Zwonitzer

Nays: Representative(s) Barlow, Blake, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Dayton-Selman, Duncan, Edwards, Flitner, Freeman, Gray, Greear, Hallinan, Henderson, Hunt, Jennings, Kinner, Laursen Dan, Lindholm, Loucks, Miller, Newsome, Olsen, Piiparinen, Roscoe, Salazar, Schwartz, Sommers, Styvar, Sweeney, Tass, Walters, Western, Winter, Yin

Excused: Representative(s) Blackburn, Pelkey

Ayes 20 Nays 38 Excused 2 Absent 0 Conflicts 0