

AMENDED IN ASSEMBLY DECEMBER 13, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1446

Introduced by Assembly Member DeSaulnier

February 23, 2007

An act to amend Section 48260.5 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 1446, as amended, DeSaulnier. Pupils: truancy.

Under existing law, a truant is a pupil who is subject to compulsory full-time education or to compulsory continuation education and who is absent from school without valid excuse 3 full days in one school year or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on 3 occasions in one school year, or any combination thereof. Existing law requires that a truant be reported to the attendance supervisor or to the superintendent of the school district and that, on a pupil's initial classification as a truant, a notice be sent to the pupil's parent or guardian. In any county that has not established a county school attendance review board, the school district is authorized to notify the district attorney or the probation officer, or both, of the county in which the school district is located, of the name of each pupil who is classified as a truant and the name and address of the truant's parent or guardian. *the school district send a notice to the pupil's parent or guardian that includes certain information regarding the truancy and the parent or guardian's obligations.*

This bill would require that notice to be sent within one week of the pupil's last day of being absent from school without a valid excuse or tardy or absent for more than any 30-minute period during the

schoolday without a valid excuse. By requiring school districts to provide a higher level of service by performing duties in a shorter timeframe than is required under existing law, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~This bill would state the intent of the Legislature to enact legislation to reduce truancy in the public schools.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 48260.5 of the Education Code is amended
- 2 to read:
- 3 48260.5. Upon a ~~pupil's~~ pupil's initial classification as a truant,
- 4 the school district shall notify the ~~pupil's~~ pupil's parent or guardian,
- 5 by first-class mail or other reasonable means *within one week of*
- 6 *the pupil's last day of being absent from school without a valid*
- 7 *excuse or tardy or absent for more than any 30-minute period*
- 8 *during the schoolday without a valid excuse, of the following:*
- 9 (a) That the pupil is truant.
- 10 (b) That the parent or guardian is obligated to compel the
- 11 attendance of the pupil at school.
- 12 (c) That parents or guardians who fail to meet this obligation
- 13 may be guilty of an infraction and subject to prosecution pursuant
- 14 to Article 6 (commencing with Section 48290) of Chapter 2 of
- 15 Part 27.
- 16 (d) That alternative educational programs are available in the
- 17 district.
- 18 (e) That the parent or guardian has the right to meet with
- 19 appropriate school personnel to discuss solutions to the pupil's
- 20 truancy.

1 (f) That the pupil may be subject to prosecution under Section
2 48264.

3 (g) That the pupil may be subject to suspension, restriction, or
4 delay of the pupil's driving privilege pursuant to Section 13202.7
5 of the Vehicle Code.

6 (h) That it is recommended that the parent or guardian
7 accompany the pupil to school and attend classes with the pupil
8 for one day.

9 SEC. 2. If the Commission on State Mandates determines that
10 this act contains costs mandated by the state, reimbursement to
11 local agencies and school districts for those costs shall be made
12 pursuant to Part 7 (commencing with Section 17500) of Division
13 4 of Title 2 of the Government Code.

14 ~~SECTION 1. It is the intent of the Legislature to enact~~
15 ~~legislation to reduce truancy in the public schools.~~