

Introduced by Senator WrightFebruary 17, 2011

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

LEGISLATIVE COUNSEL'S DIGEST

SB 477, as introduced, Wright. Pupils: truancy.

(1) Existing law provides that a pupil subject to compulsory full-time education or to compulsory continuation education 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, is a truant. Existing law requires, upon a pupil's initial classification as a truant, a school district to notify the pupil's parent or guardian using the most cost-effective method possible, which may include electronic mail or a telephone call, that the pupil is truant, and to communicate additional information relating to truancy, as prescribed.

This bill would require that the school district provide this notice to the pupil's parent or guardian within 24 hours of the pupil's initial classification as a truant. 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.

(2) 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.

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

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

1 SECTION 1. Section 48260.5 of the Education Code is
2 amended to read:

3 48260.5. Upon a pupil's initial classification as a truant, the
4 school district shall notify the pupil's parent or guardian *within 24*
5 *hours of that classification* using the most cost-effective method
6 possible, which may include electronic mail or a telephone call,
7 *of all of the following:*

8 (a) That the pupil is truant.

9 (b) That the parent or guardian is obligated to compel the
10 attendance of the pupil at school.

11 (c) That parents or guardians who fail to meet this obligation
12 may be guilty of an infraction and subject to prosecution pursuant
13 to Article 6 (commencing with Section 48290) ~~of Chapter 2 of~~
14 ~~Part 27.~~

15 (d) That alternative educational programs are available in the
16 district.

17 (e) That the parent or guardian has the right to meet with
18 appropriate school personnel to discuss solutions to the pupil's
19 truancy.

20 (f) That the pupil may be subject to prosecution under Section
21 48264.

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

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

28 SEC. 2. If the Commission on State Mandates determines that
29 this act contains costs mandated by the state, reimbursement to
30 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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