

ASSEMBLY BILL

No. 1643

Introduced by Assembly Member Buchanan

February 11, 2014

An act to amend Section 48321 of the Education Code, relating to pupil attendance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1643, as introduced, Buchanan. Pupil attendance: school attendance review boards.

Existing law authorizes the establishment of county and local school attendance review boards that may promote the use of alternatives to the juvenile court system if available public and private services are insufficient or inappropriate to correct school attendance or school behavior problems, and specifies the membership of each school attendance review board. Existing law provides that any minor pupil who is a habitual truant, is irregular in attendance at school, or is habitually insubordinate or disorderly during attendance at school may be referred to a school attendance review board. Existing law requires the county superintendent of schools, if a county school attendance review board exists, to convene a meeting of the county school attendance review board at the beginning of each school year, as provided.

This bill would require the establishment of a county school attendance review board in each county, and would authorize a county school attendance review board to accept referrals or requests for hearing services from a school district within its jurisdiction. The bill would add a representative from at least one county district attorney's office to both a county and local school attendance review board, as specified.

The bill would require a county school attendance review board to meet at least 4 times each school year. The bill would prohibit a county school attendance review board or a local school attendance review board from convening unless $\frac{2}{3}$ of its members participate at each meeting. The bill would specify that its provisions do not prohibit any 2 or more counties from forming a school attendance review board consortium or partnership. By imposing new duties on local officials, the bill would impose a state-mandated local program. The bill would also make conforming and nonsubstantive changes.

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 48321 of the Education Code is amended
- 2 to read:
- 3 48321. (a) (1) A county school attendance review board ~~may~~
- 4 *shall be established in each ~~county~~ county and may accept*
- 5 *referrals or requests for hearing services from a school district*
- 6 *within its jurisdiction. Nothing in this section prohibits any two*
- 7 *or more counties from forming a school attendance review board*
- 8 *consortium or partnership.*
- 9 (2) The county school attendance review ~~board, if established,~~
- 10 *board shall include, but need not be limited to, all of the following:*
- 11 (A) A parent.
- 12 (B) A representative of school districts.
- 13 (C) A representative of the county probation department.
- 14 (D) A representative of the county welfare department.
- 15 (E) A representative of the county superintendent of schools.
- 16 (F) A representative of law enforcement agencies.
- 17 (G) A representative of community-based youth service centers.
- 18 (H) A representative of school guidance personnel.
- 19 (I) A representative of child welfare and attendance personnel.

1 (J) A representative of school or county health care personnel.

2 (K) A representative of school, county, or community mental
3 health personnel.

4 *(L) A representative of the county district attorney's office. If*
5 *more than one county is represented in a county school attendance*
6 *review board, a representative from each county's district*
7 *attorney's office shall be included.*

8 (3) The school district representatives on the county school
9 attendance review board shall be nominated by the governing
10 boards of school districts and shall be appointed by the county
11 superintendent of schools. All other persons and group
12 representatives shall be appointed by the county board of education.

13 ~~(4) If a county school attendance review board exists, the A~~
14 county superintendent of schools shall, at the beginning of each
15 school year, convene a meeting of the county school attendance
16 review board for the purpose of adopting plans to promote
17 interagency and community cooperation and to reduce the
18 duplication of services provided to youth who have serious school
19 attendance and behavior problems. *A county school attendance*
20 *review board shall meet at least four times each school year.*

21 (b) (1) Local school attendance review boards may include,
22 but need not be limited to, all of the following:

23 (A) A parent.

24 (B) A representative of school districts.

25 (C) A representative of the county probation department.

26 (D) A representative of the county welfare department.

27 (E) A representative of the county superintendent of schools.

28 (F) A representative of law enforcement agencies.

29 (G) A representative of community-based youth service centers.

30 (H) A representative of school guidance personnel.

31 (I) A representative of child welfare and attendance personnel.

32 (J) A representative of school or county health care personnel.

33 (K) A representative of school, county, or community mental
34 health personnel.

35 *(L) A representative of the county district attorney's office. If*
36 *more than one county is represented in a local school attendance*
37 *review board, a representative from each county's district*
38 *attorney's office shall be included.*

39 (2) Other persons or group representatives shall be appointed
40 by the county board of education.

1 (c) ~~The~~A county school attendance review board may elect,
 2 pursuant to regulations adopted pursuant to Section 48324, one
 3 member as chairperson with responsibility for coordinating services
 4 of the county school attendance review board.

5 (d) ~~The~~A county school attendance review board may provide
 6 for the establishment of local school attendance review boards in
 7 any number as shall be necessary to carry out the intent of this
 8 article.

9 ~~(e) In any county in which there is no county school attendance~~
 10 ~~review board, a school district governing board may elect to~~
 11 ~~establish a local school attendance review board, which shall~~
 12 ~~operate in the same manner and have the same authority as a county~~
 13 ~~school attendance review board.~~

14 (f) ~~The~~
 15 (e) A county school attendance review board may provide
 16 consultant services to, and coordinate activities of, local school
 17 attendance review boards in meeting the special needs of pupils
 18 with school attendance or school behavior problems.

19 (g) ~~When~~
 20 (f) If the county school attendance review board determines that
 21 the needs of pupils as defined in this article can best be served by
 22 a single board, the county school attendance review board may
 23 then serve as the school attendance review board for all pupils in
 24 the county, or, upon the request of any school district in the county,
 25 the county school attendance review board may serve as the school
 26 attendance review board for pupils of that *school* district.

27 (h)
 28 (g) Nothing in this article is intended to prohibit ~~any~~ *an*
 29 agreement on the part of counties to provide these services on a
 30 regional basis.

31 (h) *A county school attendance review board or a local school*
 32 *attendance review board shall not be convened unless two-thirds*
 33 *of its members, as identified in paragraph (2) of subdivision (a)*
 34 *or paragraph (1) of subdivision (b), participate at each meeting.*

35 SEC. 2. If the Commission on State Mandates determines that
 36 this act contains costs mandated by the state, reimbursement to
 37 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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