

AMENDED IN ASSEMBLY APRIL 2, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1643**

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**Introduced by Assembly Member Buchanan**

February 11, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1643, as amended, 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~~ *require, rather than authorize*, 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 one or more school-district~~ *districts* within its jurisdiction. *The bill would set forth*

*the purposes of a county school attendance review board to include, among other things, to develop guidelines, policies, or programs to administer the county and local school attendance review boards, and to provide oversight over local school attendance review boards, as specified.* 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 *the beginning of the school year to develop guidelines and policies and adopting plans, as specified, and to meet at least 4 3 additional times each school-year: year for specified purposes including, among others, assessing the effectiveness of services and supports provided by its school attendance review boards.* The bill would specify that, for purposes of conducting hearings, the county school attendance review board is required to meet as needed, and would further authorize the county school attendance review board to determine the members needed at those hearings, as specified. 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 shall
- 4 be established in each ~~county~~ and county. *The primary purpose of*
- 5 *the county school attendance review board shall be to develop*

1 *guidelines, policies, or programs to administer the county and*  
2 *local school attendance review boards and adopt plans to promote*  
3 *interagency and community cooperation and to reduce the*  
4 *duplication of services provided to youth in order to address pupil*  
5 *attendance and behavioral problems. The county school attendance*  
6 *review board may accept referrals or requests for hearing services*  
7 *from a one or more school-district districts within its jurisdiction.*  
8 *jurisdiction, pursuant to subdivision (f). Nothing in this section*  
9 *prohibits any two or more counties from forming a school*  
10 *attendance review board consortium or partnership.*

11 (2) ~~The~~ *For purposes of developing guidelines and policies*  
12 *specified in paragraph (1), the county school attendance review*  
13 *board shall include, but need not be limited to, all of the following:*

- 14 (A) A parent.
- 15 (B) A representative of school districts.
- 16 (C) A representative of the county probation department.
- 17 (D) A representative of the county welfare department.
- 18 (E) A representative of the county superintendent of schools.
- 19 (F) A representative of law enforcement agencies.
- 20 (G) A representative of community-based youth service centers.
- 21 (H) A representative of school guidance personnel.
- 22 (I) A representative of child welfare and attendance personnel.
- 23 (J) A representative of school or county health care personnel.
- 24 (K) A representative of school, county, or community mental
- 25 health personnel.
- 26 (L) A representative of the county district attorney's office. If
- 27 more than one county is represented in a county school attendance
- 28 review board, a representative from each county's district attorney's
- 29 office ~~shall~~ *may* be included.

30 (3) *Notwithstanding paragraph (2), for purposes of conducting*  
31 *hearings, the chairperson of the county school attendance review*  
32 *board is authorized to determine the members needed at a hearing,*  
33 *based on the needs of the pupil, in order to address attendance or*  
34 *behavioral problems.*

35 ~~(3)~~  
36 (4) *The school district representatives on the county school*  
37 *attendance review board shall be nominated by the governing*  
38 *boards of school districts and shall be appointed by the county*  
39 *superintendent of schools. All other persons and group*  
40 *representatives shall be appointed by the county board of education.*

1     ~~(4)~~  
 2     (5) (A) A county superintendent of schools shall, at the  
 3 beginning of each school year, convene a meeting of the county  
 4 school attendance review board for the purpose of *developing*  
 5 *guidelines and policies and adopting plans to promote interagency*  
 6 ~~and community cooperation and to reduce the duplication of~~  
 7 ~~services provided to youth who have serious school attendance~~  
 8 ~~and behavior problems.~~ *pursuant to paragraph (1).* A county school  
 9 attendance review board shall meet at least ~~four~~ *three additional*  
 10 times each school ~~year.~~ *year to assess the effectiveness of services*  
 11 *and supports that its school attendance review boards provide to*  
 12 *youth and their families.*  
 13     (B) *Notwithstanding subparagraph (A), for purposes of*  
 14 *conducting hearings, a county school attendance review board*  
 15 *shall meet as needed.*  
 16     (b) (1) Local school attendance review boards may include,  
 17 but need not be limited to, all of the following:  
 18     (A) A parent.  
 19     (B) A representative of school districts.  
 20     (C) A representative of the county probation department.  
 21     (D) A representative of the county welfare department.  
 22     (E) A representative of the county superintendent of schools.  
 23     (F) A representative of law enforcement agencies.  
 24     (G) A representative of community-based youth service centers.  
 25     (H) A representative of school guidance personnel.  
 26     (I) A representative of child welfare and attendance personnel.  
 27     (J) A representative of school or county health care personnel.  
 28     (K) A representative of school, county, or community mental  
 29 health personnel.  
 30     (L) A representative of the county district attorney’s office. If  
 31 more than one county is represented in a local school attendance  
 32 review board, a representative from each county’s district attorney’s  
 33 office ~~shall~~ *may* be included.  
 34     (2) Other persons or group representatives shall be appointed  
 35 by the county board of education.  
 36     (c) A county school attendance review board may elect, pursuant  
 37 to regulations adopted pursuant to Section 48324, one member as  
 38 chairperson with responsibility for coordinating services of the  
 39 county school attendance review board.

1 (d) A county school attendance review board may provide for  
2 the establishment of local school attendance review boards in any  
3 number as shall be necessary to carry out the intent of this article.  
4 *Local school attendance review boards shall be bound by the rules*  
5 *and regulations established pursuant to Section 48324.*

6 (e) A county school attendance review board ~~may provide~~  
7 ~~consultant services to, and coordinate activities of, local school~~  
8 ~~attendance review boards in meeting the special needs of pupils~~  
9 ~~with school attendance or school behavior problems.~~ *shall provide*  
10 *oversight and coordinate activities of, and may provide consultant*  
11 *services to, local school attendance review boards. The county*  
12 *school attendance review board shall ensure that local school*  
13 *attendance review boards comply with the policies and procedures*  
14 *established by the county school attendance review board pursuant*  
15 *to Section 48324.*

16 (f) If the county school attendance review board determines that  
17 the needs of pupils as defined in this article can best be served by  
18 a single board, the county school attendance review board may  
19 then serve as the school attendance review board for all pupils in  
20 the county, or, upon the request of any school district in the county,  
21 the county school attendance review board may serve as the school  
22 attendance review board for pupils of that school district.

23 (g) Nothing in this article is intended to prohibit an agreement  
24 on the part of counties to provide these services on a regional basis.

25 ~~(h) A county school attendance review board or a local school~~  
26 ~~attendance review board shall not be convened unless two-thirds~~  
27 ~~of its members, as identified in paragraph (2) of subdivision (a)~~  
28 ~~or paragraph (1) of subdivision (b), participate at each meeting.~~

29 SEC. 2. If the Commission on State Mandates determines that  
30 this act contains costs mandated by the state, reimbursement to  
31 local agencies and school districts for those costs shall be made  
32 pursuant to Part 7 (commencing with Section 17500) of Division  
33 4 of Title 2 of the Government Code.