

AMENDED IN SENATE AUGUST 19, 2014

AMENDED IN SENATE JUNE 12, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 22, 2014

AMENDED IN ASSEMBLY APRIL 2, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

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 amended, Buchanan. Pupil attendance: school attendance review boards.

(1) 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.

This bill would ~~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 one or more school districts within its jurisdiction. ~~The bill would set forth the purposes of a county school attendance review board, including, among other things, to develop guidelines, policies, or programs to administer the county school attendance review board and to advise the local school attendance review boards.~~ The bill would authorize a county school attendance review board to be operated through a consortium or partnership of a county with one or more school districts or between 2 or more counties. The bill would add representatives from at least one county district attorney's office and one county public defender's office to both county and local school attendance review boards, as specified.

(2) 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 instead require a county school attendance review board to meet at the beginning of each school year to develop guidelines and policies and adopt plans, as specified, and to meet at least 3 additional times each school 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~~ *authorized* to meet as needed, and would further authorize the county school attendance review board to determine the members needed at those hearings, as specified.

(3) Existing law authorizes a county school attendance review board to provide consultant services to, and coordinate the activities of, local school attendance review boards, as provided.

~~This bill would instead require~~ *authorize* a county school attendance review board to provide guidance to local school attendance review boards.

(4) This bill would also make conforming and nonsubstantive changes.

~~(5) By imposing new duties on local officials, 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:~~

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

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 *may* be established in each county. ~~The primary purpose of the~~
5 ~~county school attendance review board shall be to develop~~
6 ~~guidelines, policies, or programs, consistent with Section 48320~~
7 ~~and subdivision (a) of Section 48325, to administer the county~~
8 ~~school attendance review board, to advise the local school~~
9 ~~attendance review boards, and to adopt plans to promote~~
10 ~~interagency and community cooperation in order to address~~
11 ~~attendance and behavioral problems, improve the coordination and~~
12 ~~level of community and school-based programs provided to pupils~~
13 ~~and their families, and prevent entry into the juvenile justice~~
14 ~~system. The county school attendance review board may accept~~
15 ~~referrals or requests for hearing services from one or more school~~
16 ~~districts within its jurisdiction, pursuant to subdivision (f). A county~~
17 ~~school attendance review board may be operated through a~~
18 ~~consortium or partnership of a county with one or more school~~
19 ~~districts or between two or more counties.~~

20 (2) ~~For purposes of developing guidelines and policies specified~~
21 ~~in paragraph (1), the~~ A county school attendance review board
22 *board, if established,* shall include, but need not be limited to, all
23 of the following:

- 24 (A) A parent.
- 25 (B) A representative of school districts.
- 26 (C) A representative of the county probation department.
- 27 (D) A representative of the county welfare department.
- 28 (E) A representative of the county superintendent of schools.
- 29 (F) A representative of law enforcement agencies.
- 30 (G) A representative of community-based youth service centers.
- 31 (H) A representative of school guidance personnel.

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

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

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

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

9 (M) A representative of the county public defender's office. If
10 more than one county is represented in a county school attendance
11 review board, a representative from each county's public defender's
12 office may be included.

13 (3) Notwithstanding paragraph (2), for purposes of conducting
14 hearings, the chairperson of the county school attendance review
15 board is authorized to determine the members needed at a hearing,
16 based on the needs of the pupil, in order to address attendance or
17 behavioral problems.

18 (4) The school district representatives on the county school
19 attendance review board shall be nominated by the governing
20 boards of school districts and shall be appointed by the county
21 superintendent of schools. All other persons and group
22 representatives shall be appointed by the county board of education.

23 (5) (A) ~~A~~ *If a county school attendance review board exists,*
24 *the county superintendent of schools shall, at the beginning of each*
25 *school year, convene a meeting of the county school attendance*
26 *review board for purposes of developing guidelines and policies*
27 *and adopting plans pursuant to paragraph (1). A county school*
28 *attendance review board shall meet at least three additional times*
29 *each school year to assess the effectiveness of services and supports*
30 *that its school attendance review boards provide to youth and their*
31 *families, and to assess whether the local school attendance review*
32 *boards within the county are improving the attendance and*
33 *educational outcomes for pupils. adopting plans to promote*
34 *interagency and community cooperation and to reduce the*
35 *duplication of services provided to youth who have serious school*
36 *attendance and behavior problems.*

37 (B) Notwithstanding subparagraph (A), for purposes of
38 conducting hearings, a county school attendance review board
39 shall *may* meet as needed.

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

- 3 (A) A parent.
- 4 (B) A representative of school districts.
- 5 (C) A representative of the county probation department.
- 6 (D) A representative of the county welfare department.
- 7 (E) A representative of the county superintendent of schools.
- 8 (F) A representative of law enforcement agencies.
- 9 (G) A representative of community-based youth service centers.
- 10 (H) A representative of school guidance personnel.
- 11 (I) A representative of child welfare and attendance personnel.
- 12 (J) A representative of school or county health care personnel.
- 13 (K) A representative of school, county, or community mental
14 health personnel.

15 (L) A representative of the county district attorney's office. If
16 more than one county is represented in a local school attendance
17 review board, a representative from each county's district attorney's
18 office may be included.

19 (M) A representative of the county public defender's office. If
20 more than one county is represented in a county school attendance
21 review board, a representative from each county's public defender's
22 office may be included.

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

25 (c) A county school attendance review board may elect, pursuant
26 to regulations adopted pursuant to Section 48324, one member as
27 chairperson with responsibility for coordinating services of the
28 county school attendance review board.

29 (d) A county school attendance review board may provide for
30 the establishment of local school attendance review boards in any
31 number as shall be necessary to carry out the intent of this article.
32 ~~Local school attendance review boards shall be bound by the rules
33 and regulations established pursuant to Section 48324.~~

34 (e) *In any county in which there is no county school attendance
35 review board, a school district governing board may elect to
36 establish a local school attendance review board, which shall
37 operate in the same manner and have the same authority as a
38 county school attendance review board.*

39 (e)

1 (f) A county school attendance review board ~~shall~~ *may* provide
2 guidance to local school attendance review boards.

3 ~~(f)~~

4 (g) If the county school attendance review board determines
5 that the needs of pupils, as defined in this article, can best be served
6 by a single board, the county school attendance review board may
7 then serve as the school attendance review board for all pupils in
8 the county, or, upon the request of any school district in the county,
9 the county school attendance review board may serve as the school
10 attendance review board for pupils of that school district.

11 ~~(g)~~

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

14 ~~SEC. 2. If the Commission on State Mandates determines that~~
15 ~~this act contains costs mandated by the state, reimbursement to~~
16 ~~local agencies and school districts for those costs shall be made~~
17 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
18 ~~4 of Title 2 of the Government Code.~~