



Senate

General Assembly

File No. 470

February Session, 2010

Substitute Senate Bill No. 278

Senate, April 12, 2010

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING TRUANCY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-198a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 (a) For purposes of this section, "truant" means a child age five to
4 eighteen, inclusive, who is enrolled in a public or private school and
5 has four unexcused absences from school in any one month or ten
6 unexcused absences from school in any school year.

7 (b) Each local and regional board of education shall adopt and
8 implement policies and procedures concerning truants who are
9 enrolled in schools under the jurisdiction of such board of education.
10 Such policies and procedures shall include, but need not be limited to,
11 the following: (1) The holding of a meeting with the parent of each
12 child who is a truant, or other person having control of such child, and
13 appropriate school personnel to review and evaluate the reasons for
14 the child being a truant, provided such meeting shall be held not later

15 than ten school days after the child's fourth unexcused absence in a
16 month or tenth unexcused absence in a school year, (2) coordinating
17 services with and referrals of children to community agencies
18 providing child and family services, (3) annually at the beginning of
19 the school year and upon any enrollment during the school year,
20 notifying the parent or other person having control of each child
21 enrolled in a grade from kindergarten to eight, inclusive, in the public
22 schools in writing of the obligations of the parent or such other person
23 pursuant to section 10-184, (4) annually at the beginning of the school
24 year and upon any enrollment during the school year, obtaining from
25 the parent or other person having control of each child in a grade from
26 kindergarten to eight, inclusive, a telephone number or other means of
27 contacting such parent or such other person during the school day, and
28 (5) a system of monitoring individual unexcused absences of children
29 in grades kindergarten to eight, inclusive, which shall provide that
30 whenever a child enrolled in school in any such grade fails to report to
31 school on a regularly scheduled school day and no indication has been
32 received by school personnel that the child's parent or other person
33 having control of the child is aware of the pupil's absence, a reasonable
34 effort to notify, by telephone, the parent or such other person shall be
35 made by school personnel or volunteers under the direction of school
36 personnel. Any person who, in good faith, gives or fails to give notice
37 pursuant to subdivision (5) of this subsection shall be immune from
38 any liability, civil or criminal, which might otherwise be incurred or
39 imposed and shall have the same immunity with respect to any
40 judicial proceeding which results from such notice or failure to give
41 such notice.

42 (c) If the parent or other person having control of a child who is a
43 truant fails to attend the meeting held pursuant to subdivision (1) of
44 subsection (b) of this section or if such parent or other person
45 otherwise fails to cooperate with the school in attempting to solve the
46 truancy problem, such policies and procedures shall require the
47 superintendent of schools to file, not later than thirty calendar days
48 after such failure to attend such meeting or such failure to cooperate
49 with the school attempting to solve the truancy problem, for each such

50 truant enrolled in the schools under his jurisdiction a written
51 complaint with the Superior Court pursuant to section 46b-149 alleging
52 the belief that the acts or omissions of the child are such that his family
53 is a family with service needs.

54 (d) Nothing in subsections (a) to (c), inclusive, of this section shall
55 preclude a local or regional board of education from adopting policies
56 and procedures pursuant to this section which exceed the
57 requirements of said subsections.

58 (e) The provisions of this section shall not apply to any child
59 receiving equivalent instruction pursuant to section 10-184.

60 Sec. 2. (NEW) (*Effective July 1, 2010*) (a) On or before July 1, 2011, the
61 State Board of Education shall (1) define "excused absence" and
62 "unexcused absence" for use by local and regional boards of education
63 for purposes of carrying out the provisions of section 10-198a of the
64 general statutes, as amended by this act, and (2) establish the criteria
65 by which local and regional boards of education are to measure, collect
66 and report on data concerning attendance in the school district
67 pursuant to the provisions of subsection (c) of section 10-220 of the
68 general statutes.

69 (b) On or before July 1, 2012, and annually thereafter, the State
70 Board of Education shall report, in accordance with the provisions of
71 section 11-4a of the general statutes, on the data received pursuant to
72 subsection (a) of this section and truancy programs implemented by
73 local and regional boards of education, pursuant to section 10-198a of
74 the general statutes, as amended by this act, to the Governor and the
75 joint standing committee of the General Assembly having cognizance
76 of matters relating to education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2010</i>	10-198a
Sec. 2	<i>July 1, 2010</i>	New section

ED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 11 \$
Education, Dept.	GF - Cost	100,000

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 11 \$	FY 12 \$
Local and Regional School Districts	STATE MANDATE - Cost	0-15,000	0-15,000

Explanation

Section 1 of the bill, which requires a superintendent to file a complaint in the Superior Court within thirty calendar days of a parent or guardian of a truant child, failing to attend a meeting or cooperate with school officials, regarding the child's truancy, is not anticipated to result in a fiscal impact.

Section 2 requires the State Board of Education (SBE) to define "excused absence" and "unexcused absence", by July 1, 2011, for local and regional school boards in order to meet statutory requirements for addressing truancy. SBE must establish criteria that the local and regional schools boards must use to measure, collect, and report on attendance data, and this information must be included in each school's strategic school profile. Additionally, SBE must report, by July 1, 2012, and each year following, on the attendance data gathered under the new definitions and provisions.

It is anticipated that the new requirements contained in **Section 2** will result in an additional cost to SBE of approximately \$100,000

associated with: (1) the upgrade and addition of elements to the central SBE data system, (2) changes to the user interface to allow local and regional districts to enter new information, and (3) programming needs to finalize the collection of additional data.

Additionally, it is anticipated that the new requirements for collecting attendance data could result in an additional cost to local and regional school districts associated with the revision and reprinting of school handbooks, minimal changes to student database software, and data entry. The costs to local and regional school districts will vary by district. It is anticipated that some districts may incur minimal to no additional costs, while larger districts could incur costs up to \$15,000.

The Out Years

The annualized ongoing fiscal impact identified above, associated with local and regional school districts, would continue into the future subject to inflation. The cost to SBE would be one-time in nature.

OLR Bill Analysis

sSB 278

AN ACT CONCERNING TRUANCY.

SUMMARY:

By law, when the parent or guardian of a truant child fails to meet with school officials or cooperate in addressing the child's truancy, the school district superintendent must file a complaint in the Superior Court alleging the student's family is a family with service needs. Under the bill, the superintendent must file this complaint within 30 calendar days of the parent or guardian failing to attend the meeting or cooperate with school officials.

The bill requires the State Board of Education (SBE), on or before July 1, 2011, to define "excused absence" and "unexcused absence" so that local and regional school boards can meet statutory requirements for addressing truancy among schoolchildren. It requires the SBE to establish criteria the local and regional boards must use to measure, collect, and report on attendance data and include this information in their strategic school profile, an annual required report on student performance. Currently, boards define excused and unexcused absences.

By law, and unchanged by the bill, a truant is a child, age 5 to 18, who is enrolled in a public or private school and has four unexcused absences from school in any month or 10 unexcused absences in any year.

The bill requires the SBE to report, by July 1, 2012 and each following year, on the attendance data gathered under the bill's provisions and on any truancy programs that local or regional boards of education use to address truancy, including the steps that law mandates they take. SBE must submit the report to the governor and

the Education Committee.

EFFECTIVE DATE: July 1, 2010

BACKGROUND

Families with Service Needs Children

Children of families with service needs are those under age 18 who have run away without good cause, are truant or beyond control of their parents or school authorities, or are engaged in certain forms of sexual or immoral conduct (CGS § 46b-149).

Mandated Truancy Efforts

By law, school districts are required to adopt policies and procedures addressing truants, which must include the following:

1. meeting with parents or guardians of a truant to evaluate reasons for the truancy;
2. coordinating services with and referrals to agencies providing family and child services;
3. annually notifying parents or guardians of their obligations under state education law;
4. annually obtaining daytime contact information, including phone number, of parents or guardians of children in grades kindergarten to eight; and
5. implementing a system of monitoring unexcused absences of children in grades kindergarten to eight, inclusive, and notifying parents or guardians in cases when school personnel have not been informed that the parent or guardian is aware of the absence (CGS § 10-198a).

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 31 Nay 0 (03/23/2010)