

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.

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, 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 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~~ *representatives* from at least one county district attorney's office *and one county public defender's office* to both ~~a county and local school attendance review board,~~ *boards*, 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 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 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 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. The primary purpose of the county
- 5 school attendance review board shall be to develop guidelines,

1 policies, or ~~programs~~ *programs, consistent with Section 48320*
2 *and subdivision (a) of Section 48325, to administer the county and*
3 *local school attendance review boards and adopt plans to promote*
4 *interagency and community cooperation* ~~and to reduce the~~
5 ~~duplication of services provided to youth in order to address pupil~~
6 ~~attendance and behavioral problems; in order to address attendance~~
7 *and behavioral problems, improve the coordination and level of*
8 *community and school-based programs provided to pupils and*
9 *their families, and prevent entry into the juvenile justice system.*

10 The county school attendance review board may accept referrals
11 or requests for hearing services from one or more school districts
12 within its jurisdiction, pursuant to subdivision (f). Nothing in this
13 section prohibits any two or more counties from forming a school
14 attendance review board consortium or partnership.

15 (2) For purposes of developing guidelines and policies specified
16 in paragraph (1), the county school attendance review board shall
17 include, 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 county school attendance
32 review board, a representative from each county's district attorney's
33 office may be included.

34 (M) *A representative of the county public defender's office. If*
35 *more than one county is represented in a county school attendance*
36 *review board, a representative from each county's public*
37 *defender's office may be included.*

38 (3) Notwithstanding paragraph (2), for purposes of conducting
39 hearings, the chairperson of the county school attendance review
40 board is authorized to determine the members needed at a hearing,

1 based on the needs of the pupil, in order to address attendance or
 2 behavioral problems.

3 (4) The school district representatives on the county school
 4 attendance review board shall be nominated by the governing
 5 boards of school districts and shall be appointed by the county
 6 superintendent of schools. All other persons and group
 7 representatives shall be appointed by the county board of education.

8 (5) (A) A county superintendent of schools shall, at the
 9 beginning of each school year, convene a meeting of the county
 10 school attendance review board for the purpose of developing
 11 guidelines and policies and adopting plans pursuant to paragraph
 12 (1). A county school attendance review board shall meet at least
 13 three additional times each school year to assess the effectiveness
 14 of services and supports that its school attendance review boards
 15 provide to youth and their ~~families~~. *families, and to assess whether*
 16 *the local school attendance review boards subject to its oversight*
 17 *are improving the attendance and educational outcomes for pupils.*

18 (B) Notwithstanding subparagraph (A), for purposes of
 19 conducting hearings, a county school attendance review board
 20 shall meet as needed.

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 attorney’s
 38 office may be included.
- 39 (M) *A representative of the county public defender’s office. If*
 40 *more than one county is represented in a county school attendance*

1 *review board, a representative from each county's public*
2 *defender's office may be included.*

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

5 (c) A county school attendance review board may elect, pursuant
6 to regulations adopted pursuant to Section 48324, one member as
7 chairperson with responsibility for coordinating services of the
8 county school attendance review board.

9 (d) A county school attendance review board may provide for
10 the establishment of local school attendance review boards in any
11 number as shall be necessary to carry out the intent of this article.
12 Local school attendance review boards shall be bound by the rules
13 and regulations established pursuant to Section 48324.

14 (e) A county school attendance review board shall provide
15 oversight and coordinate activities of, and may provide consultant
16 services to, local school attendance review boards. The county
17 school attendance review board shall ensure that local school
18 attendance review boards comply with the policies and procedures
19 established by the county school attendance review board pursuant
20 to Section 48324.

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

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

30 SEC. 2. If the Commission on State Mandates determines that
31 this act contains costs mandated by the state, reimbursement to
32 local agencies and school districts for those costs shall be made
33 pursuant to Part 7 (commencing with Section 17500) of Division
34 4 of Title 2 of the Government Code.

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