

service districts shall also be "taxing authorities" within the meaning of Article 7, Section 2, Washington State Constitution.

An emergency medical service district shall have the authority to provide emergency medical services.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House May 14, 1979.

Passed the Senate May 11, 1979.

Approved by the Governor May 24, 1979.

Filed in Office of Secretary of State May 24, 1979.

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## CHAPTER 201

[Substitute House Bill No. 1258]

### JUVENILE TRUANCY

AN ACT Relating to juvenile truancy; amending section 2, chapter 10, Laws of 1972 ex. sess. as amended by section 1, chapter 51, Laws of 1973 and RCW 28A.27.010; amending section 28A.27.070, chapter 223, Laws of 1969 ex. sess. as amended by section 52, chapter 291, Laws of 1977 ex. sess. and RCW 28A.27.070; amending section 28A.27.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.27.100; amending section 28A.27.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.27.110; adding new sections to chapter 28A.27 RCW; adding a new section to chapter 13.34 RCW; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 28A.27 RCW a new section to read as follows:

If a juvenile required to attend school under the laws of the state of Washington fails to attend school without valid justification recurrently or for an extended period of time, the juvenile's school, where appropriate, shall:

(1) Inform the juvenile's custodial parent, parents or guardian by a notice in writing in English and, if different, in the primary language of the custodial parent, parents or guardian and by other means reasonably necessary to achieve notice of the fact that the juvenile has failed to attend school without valid justification recurrently or for an extended period of time;

(2) Schedule a conference or conferences with the custodial parent, parents or guardian and juvenile at a time and place reasonably convenient for all persons included for the purpose of analyzing the causes of the juvenile's absences; and

(3) Take steps to eliminate or reduce the juvenile's absences, including, where appropriate, adjusting the juvenile's school program or school or course assignment or assisting the parent or student to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school.

NEW SECTION. Sec. 2. There is added to chapter 28A.27 RCW a new section to read as follows:

If action taken by a school pursuant to section 1 of this act is not successful in substantially reducing a student's absences from school, the attendance officer of the school district through its attorney may petition the juvenile court to assume jurisdiction under this chapter for the purpose of alleging a violation of RCW 28A.27.010. If the court assumes jurisdiction in such an instance, the provisions of this chapter, except where otherwise stated, shall apply.

NEW SECTION. Sec. 3. There is added to chapter 13.34 RCW a new section to read as follows:

The legislature finds that it is the responsibility of the custodial parent, parents or guardian to ensure that children within the custody of such individuals attend school as provided for by law. To this end, while a parent's failure to cause a juvenile to attend school should not alone provide a basis for a neglect petition against the parent or guardian, when a neglect petition is filed on the basis of other evidence, a parent or guardian's failure to take reasonable steps to ensure that the juvenile attends school may be used as evidence with respect to the question of the appropriate disposition of a neglect petition.

Sec. 4. Section 2, chapter 10, Laws of 1972 ex. sess. as amended by section 1, chapter 51, Laws of 1973 and RCW 28A.27.010 are each amended to read as follows:

All parents, guardians and the persons in this state having custody of any child eight years of age and under fifteen years of age shall cause such child to attend the public school of the district in which the child resides for the full time when such school may be in session or to attend a private school for the same time unless the school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school or unless such child is attending a residential school operated by ~~((the division of institutions of))~~ the department of social and health services.

All parents, guardians and other persons in this state having custody of any child fifteen years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides for the full time when such school may be in session or to attend a private school for the same time excepting when the school district superintendent determines that such child is physically or mentally unable to attend school or has already attained a reasonable proficiency in the branches required by law to be taught in the first nine grades of the public schools of this state, or the child is regularly and lawfully engaged in a useful or remunerative occupation, or the child is attending a residential school operated by ~~((the division of institutions of))~~ the department of social and health

services, or the child has already met graduation requirements in accordance with state board of education rules and regulations, or the child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.04.135.

~~((Proof of absence from any public or approved private and/or parochial school shall be prima facie evidence of a violation of this section.))~~ An approved private and/or parochial school for the purposes of this section shall be one approved under regulations established by the state board of education pursuant to RCW 28A.04.120 as now or hereafter amended.

Sec. 5. Section 28A.27.070, chapter 223, Laws of 1969 ex. sess. as amended by section 52, chapter 291, Laws of 1977 ex. sess. and RCW 28A.27.070 are each amended to read as follows:

Any attendance officer, sheriff, deputy sheriff, marshal, policeman, or any other officer authorized to make arrests, shall take into custody without a warrant a child who is required under the provisions of RCW 28A.27.010 through 28A.27.130 to attend school, such child then being a truant from instruction at the school which he is lawfully required to attend, and shall forthwith deliver a child so detained either (1) to the custody of a person in parental relation to the child or (2) to the school from which the child is then a truant. ~~((A designated school official may inform an habitual truant and such child's parents, and shall inform any student who has been expelled from school in accordance with procedures provided by law and such child's parents, of the nature and location of services provided for in RCW 74.13.020(3) if such services may be appropriate to the needs of the child, and shall offer to assist in establishing contact between such family and such services. An habitual truant for the purposes of this section is one who absents himself with frequency from the school he is required to attend.))~~

Sec. 6. Section 28A.27.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.27.100 are each amended to read as follows:

Any person violating any of the provisions of either RCW 28A.27.010 or 28A.27.090 shall be fined not more than twenty-five dollars for each day of unexcused absence from school. It shall be a defense for a person charged with violating RCW 28A.27.010 to show that he or she exercised reasonable diligence in attempting to cause a child in his or her custody to attend school or that the juvenile's school did not perform its duties as required in section one of this act. Any fine imposed pursuant to this section may be suspended upon the condition that a person charged with violating RCW 28A.27.010 shall participate with the school and the juvenile in a supervised plan for the juvenile's attendance at school or upon condition that the person attend a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.

Attendance officers shall make complaint for violation of the provisions of RCW 28A.27.010 through 28A.27.130 by any person eighteen years of

age or over to a justice of the peace, justice court judge or to a judge of the superior court.

Sec. 7. Section 28A.27.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.27.110 are each amended to read as follows:

The county prosecuting attorney or the attorney for the school district shall act as attorney for the complainant in all court proceedings relating to the compulsory attendance of children as required by RCW 28A.27.010 through 28A.27.130.

Passed the House May 14, 1979.

Passed the Senate May 4, 1979.

Approved by the Governor May 24, 1979.

Filed in Office of Secretary of State May 24, 1979.

## CHAPTER 202

[Engrossed Substitute Senate Bill No. 2095]

### SUPERIOR COURT JUDGES

AN ACT Relating to superior court judges; amending section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 311, Laws of 1977 ex. sess. and RCW 2.08.061; amending section 4, chapter 125, Laws of 1951 as last amended by section 2, chapter 311, Laws of 1977 ex. sess. and RCW 2.08.062; amending section 6, chapter 125, Laws of 1951 as last amended by section 3, chapter 311, Laws of 1977 ex. sess. and RCW 2.08.064; amending section 7, chapter 125, Laws of 1951 as last amended by section 4, chapter 311, Laws of 1977 ex. sess. and RCW 2.08.065; and creating new sections.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 311, Laws of 1977 ex. sess. and RCW 2.08.061 are each amended to read as follows:

There shall be in the county of King thirty-four judges of the superior court; in the county of Spokane ~~((nine))~~ ten judges of the superior court; in the county of Pierce ~~((eleven))~~ thirteen judges of the superior court: PROVIDED, That the additional offices herein created for the county of Pierce shall be effective January 1, ~~((1978))~~ 1981.

Sec. 2. Section 4, chapter 125, Laws of 1951 as last amended by section 2, chapter 311, Laws of 1977 ex. sess. and RCW 2.08.062 are each amended to read as follows:

There shall be in the ~~((county))~~ counties of Chelan ~~((one))~~ and Douglas jointly, two judges of the superior court; in the county of Clark ~~((four))~~ five judges of the superior court; in the county of Grays Harbor two judges of the superior court; in the county of Kitsap ~~((four))~~ five judges of the superior court; in the county of Kittitas one judge of the superior court; in the county of Lewis two judges of the superior court: PROVIDED, That the additional office herein created for the county of Kitsap shall be effective January 1, 1981.