

Attendance and Truancy Legal Requirements Middle and High School Students

When	Action / Response
Beginning of school year RCW 28A.225.005	Information letter to all students and parents that includes the benefits of regular school attendance; the effects of absenteeism , excused and unexcused, on academic achievement and graduation; the school's expectations regarding attendance; the resources available to assist the child and the parents; the responsibilities of the school; and the consequences of truancy; communicated in a language in which the parents are fluent ⁱ .
After 1 unexcused absence RCW 28A.225.020	Inform the student's parent/guardian by a notice in writing or by telephone , in a language the parent is fluent, whenever the student has failed to attend school after one unexcused absence.
After 3 unexcused absences within any monthⁱⁱ RCW 28A.225.020	Schedule conference with parent/guardian and student for the purpose of identifying barriers to the student's regular attendance and the supports and resources that may be made available to the family and the steps to be taken to support the student to attend.
Between 2 and 7ⁱⁱⁱ unexcused cumulative absences in a school year RCW 28A.225.020	Must apply WARNS (Washington Assessment of Risks and Needs of Students) or other assessment. Take data-informed steps to eliminate or reduce student's absences, consistent with the WARNS or other assessment results. Convene the IEP or 504 team. If the student has an individualized education program (IEP) or a 504 Plan, the team must convene to consider the reasons for the absences and adjust the IEP or 504 Plan as necessary. This is required and is in addition to the requirement to have a parent conference after 3 unexcused absences. For students reasonably believed to have a disability who do not have an IEP or 504, the following steps must occur: • Student should be referred to the district's existing Child Find process (WAC 392-172A-02040) • Parents/guardians need to be informed of the right to request an evaluation at no cost to them; if the parents/guardians consent to an evaluation, then time should be allowed for the evaluation to be completed (WAC 392-172A-03005)^{iv}



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	If the student is found to be eligible for services/accommodations, a plan must be developed to address the identified needs
Not later than 7 unexcused absences in a month RCW 28A.225.030	District shall do one of the following: Enter into an agreement with the student and parent establishing attendance requirements, OR Refer student to a Community Engagement Board (CEB), OR File petition under subsection (1) of RCW 28A.225.030
After 7 unexcused absences in a month and not later than 15 cumulative unexcused absences in a school year RCW 28A.225.035	File truancy petition with Juvenile Court. Court must stay^v the petition. Refer the parent and child to a community engagement board (CEB) or other coordinated means of intervention if referral did not take place before the petition. The CEB meeting must take place within twenty days of the referral. The community engagement board must meet with the child, a parent, and school district representative and enter into an agreement.
Unexpected or excessive absences (for youth who are dependent pursuant to 13.34 RCW) RCW 28A.225.023	Review unexpected or excessive absences with a youth who is dependent pursuant to chapter 13.34 RCW and adults involved with that youth to determine the cause of the absences , considering the unique circumstance of a youth who is dependent. A district employee must proactively support the youth's schoolwork, such as the required building point of contact for students who are dependent.

ⁱ If the parent or guardian is not fluent in English or is an individual who is deaf or hard of hearing or blind or low vision, the school must provide this information in a language the parent or guardian understands or other mode of communication used by the parent or guardian; including providing language assistance as required under Title VI of the Civil Rights Act of 1964 or Title II of the Americans with Disabilities Act. See the Department of Justice guidance on [effective communication](#).

ⁱⁱ OSPI interprets the phrase "in any month" as within any 30-day period, following with the intent of the law to provide timely response and supports to students that are absent.

ⁱⁱⁱ Beginning the 2021–22 school year, districts have until 7 unexcused absences to take these data-informed steps.

^{iv} This language is slightly different than [RCW 28A.225.020](#), and is aligned with Special Education laws, as cited.

^v "Stay" means that the court will temporarily hold the case from moving forward, giving the district, parent, and student time to address the causes of absences through the CEB and subsequent supports & interventions.

Reflects law changes as a result of [ESHB 1113 \(2021\)](#). Document updated May 14, 2021. This summary is not intended to capture the full detail of the law; please refer to the RCWs for the full extent of the requirements.