

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-2244/3	Introduction Number AB-821
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Description
 Eliminating certain conditions that must be met before a proceeding may be brought against a child under 12 years of age for habitual truancy or against his or her parent or guardian for failure to cause the child to attend school regularly

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

Local:

<input type="checkbox"/> No Local Government Costs		
<input checked="" type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5. Types of Local Government Units Affected
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
		<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input checked="" type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DPI/ Jennifer France (608) 266-1344	Authorized Signature Michael Bormett (608) 266-2804	Date 11/23/2005
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Fiscal Estimate Narratives

DPI 11/23/2005

LRB Number	05-2244/3	Introduction Number	AB-821	Estimate Type	Original
Description Eliminating certain conditions that must be met before a proceeding may be brought against a child under 12 years of age for habitual truancy or against his or her parent or guardian for failure to cause the child to attend school regularly					

Assumptions Used in Arriving at Fiscal Estimate

Currently, the compulsory school attendance law requires, subject to certain exceptions, that a person having under his or her control a child six years of age or over cause the child to attend school regularly during the full period and hours that the school in which the child should be enrolled is in session until the end of the school term, quarter, or semester in which the child becomes 18 years of age, unless the child has an acceptable excuse for not attending school. Current law also permits counties, cities, villages, and towns to enact ordinances prohibiting a person under 18 years of age from being absent from school without an acceptable excuse for part or all of five or more days on which school is held during a school semester (habitual truancy). In addition, current law grants the court assigned to exercise jurisdiction under the Children's Code and the Juvenile Justice Code (juvenile court) exclusive jurisdiction over a juvenile alleged to be in need of protection or services on the grounds of habitual truancy. Current law requires, however, that before any proceeding may be brought against a child for habitual truancy or against the child's parent or guardian for failure to cause the child to attend school regularly, the school attendance officer must provide evidence that appropriate school personnel have done all the following:

1. Met with the child's parent or guardian to discuss the child's truancy or attempted to meet with the child's parent or guardian but received no response or were refused.
2. Provided an opportunity for educational counseling to determine whether a change in the child's curriculum would resolve the child's truancy.
3. Evaluated the child to determine whether learning problems may be a cause of the child's truancy and, if so, have taken steps to overcome the learning problems.
4. Conducted an evaluation to determine whether social problems may be a cause of the child's truancy and, if so, have taken appropriate action or made appropriate referrals.

This bill eliminates for a child under 12 years of age the requirements that appropriate school personnel provide an opportunity for educational counseling for the child, evaluate the child learning problems, and evaluate the child for social problems before a proceeding may be brought against the child for habitual truancy or against the child's parent or guardian for failure to cause the child to attend school on a regular basis. Under this bill, the only requirement that must be met before bringing a proceeding against a child under 12 years of age or the child's parent or guardian is that appropriate school personnel have met or attempted to meet with the child's parent or guardian. However, this bill requires appropriate school personnel to provide an opportunity for educational counseling for a child under 12 years of age, to evaluate the child for learning problems, and to evaluate the child for social problems before a dispositional order is granted in such a proceeding.

Under the proposed bill, the definition of a habitual truant does not change. Also, the schools retain the choice to refer for action younger students who are habitually truant, which is true for all students who are habitually truant now. Therefore, there will be no impact on local school reporting of habitual truants to the Department of Public Instruction. In addition, the department does not have data to indicate what fiscal impact, if any, the bill would have on local school operations. The local cost of this bill is indeterminate.

Long-Range Fiscal Implications