



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 1907

PRINTERS NO. 4045

PRIME SPONSOR: Benninghoff

### COST / (SAVINGS)

FUND	FY 2016/17	FY 2017/18
General Fund	\$0	\$0

**SUMMARY:** House Bill 1907 amends the Public School Code concerning compulsory attendance requirements. This legislation would take effect immediately.

**ANALYSIS:** House Bill 1907 makes extensive revisions to the Public School Code concerning compulsory attendance and truancy, including changes to definitions, procedures, and penalties.

The legislation creates a new section concerning the establishment of attendance policies at charter, regional charter, and cyber charter schools. The policies must conform to the requirements provided for in the legislation.

New procedures are established for school districts to follow when a child is truant, including written notice to the person in parental relation that the child is truant and the offer of an attendance improvement conference to the parent. Continuing absences would result in the child becoming habitually truant.

Further procedures are established for a school to follow when a child becomes habitually truant. Procedures differ based on whether the child is under 15 years of age or 15 years of age and older. These procedures may include referral to a school or community based attendance improvement program, referral to the county children and youth agency, or the filing of a citation with the magisterial district judge (MDJ).

If the case is referred to an MDJ and there is no improvement in attendance, the truancy could result in conviction for a summary offense. A person so convicted may be ordered to pay fines and court costs, perform community service, or complete an appropriate course or program designed to improve school attendance, which has been approved by the president judge of the judicial district. A habitually truant child may have his or her driving privileges suspended as well. If an individual willfully refuses to pay fines and court costs, and the court determines the individual has the ability to pay the financial obligation, the court may impose community service, or, in the case of a parent, impose a period of incarceration not to exceed three days.

**FISCAL IMPACT:** Enactment of this legislation will have no adverse impact on Commonwealth funds.

**PREPARED BY:** Jeff Miller  
House Appropriations Committee (R)

**DATE:** April 11, 2016

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*