

**UPDATED SUMMARY
SENATE BILL 15-184**

First Regular Session - Seventieth Colorado General Assembly

This summary applies to the reengrossed version of this bill as introduced in the second house. It does not reflect any amendments that may be subsequently adopted. This summary reflects only the main points of the legislation.

~~Under current law, a school district may file a petition in juvenile court to compel a student and a student's parents to comply with the statutory compulsory attendance requirements. The bill removes the juvenile court's jurisdiction over truancy petitions, except on appeal, and removes a school district's ability to enforce compulsory education requirements in the juvenile court; except that a school district may file a contempt proceeding in juvenile court if a student or parent fails to comply with an order issued by an administrative law judge.~~

~~—The bill gives jurisdiction over truancy cases to the office of administrative courts in the department of personnel. A school district may file a petition with an administrative law judge to compel a student and a student's parents to comply with the statutory compulsory attendance requirements. The administrative law judge may hold the hearing on the truancy petition in-person or by telephone or other electronic means, so long as the public has access to the hearing at the location at which school district personnel participate in the hearing. The administrative law judge has authority to issue an order compelling attendance, to order a dependency and neglect evaluation, and to impose specified sanctions to enforce the order. The administrative law judge does not have authority to sanction a student by ordering detention or to sanction a parent by ordering time in jail. A student or parent may appeal a decision of the administrative law judge to the juvenile court. The school district may file a contempt proceeding in the juvenile court if the student or parent fails or neglects to comply with a sanction that the administrative law judge orders.~~

~~—If a student who is the subject of a truancy petition is or becomes the subject of a dependency and neglect proceeding or a juvenile petition, the administrative law judge must transfer the truancy petition to the appropriate juvenile court for consolidation with the dependency and neglect or juvenile proceeding.~~

~~—The bill prohibits a juvenile detention facility from receiving a juvenile who violates a court order to attend school unless the juvenile is also adjudicated for committing a delinquent act.~~

The bill requires the chief judge in each judicial district in the state to convene a meeting of community stakeholders to create a policy for addressing truancy cases that seeks alternatives to the use of detention as a sanction for truancy. The chief judge must adopt the policy by March 15, 2016. The state court administrator's office must report to the judiciary committees of the general assembly by April 15, 2016, concerning the policies adopted in each judicial district.

Italicized words indicate new material added to the original summary; dashes through words indicate deletions from the original summary.
Prepared by the Office of Legislative Legal Services.