

SECOND REGULAR SESSION

# HOUSE BILL NO. 2720

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DOUGLAS.

4232H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 167.031, RSMo, and to enact in lieu thereof one new section relating to school attendance.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 167.031, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.031, to read as follows:

167.031. 1. (1) **(a)** Every parent, guardian, or other person in this state having charge, control, or custody of a child is responsible for enrolling the child in a program of academic instruction in a public, private, parochial, **or** parish school, ~~home school, FPE school,~~ or full-time equivalent attendance in a combination of such schools ~~between the ages of seven years and] when such child is at least five years of age but not older than the~~ compulsory attendance age for the district.

7                   **(b)** Every parent, guardian, or other person in this state having charge, control, or custody of a child who enrolls such child in a program of academic instruction in a home school or FPE school is responsible for enrolling such child in such home school or FPE school when such child is at least seven years of age but not older than the compulsory attendance age for the district.

12                   (2) **(a)** Any parent, guardian, or other person who enrolls a child ~~between the ages~~ of five ~~and seven~~ years **of age or older** in a public school program of academic instruction shall cause such child to attend the academic program on a regular basis, according to this section.

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16       **(b)** Nonattendance by such child shall cause such parent, guardian, or other  
17 responsible person to be in violation of the provisions of section 167.061, except as provided  
18 by this section.

19       **(3)** A parent, guardian, or other person in this state having charge, control, or custody  
20 of a child [~~between the ages of seven~~] **who is at least five** years of age [~~and~~] **but not older**  
21 **than** the compulsory attendance age for the district shall cause the child to attend regularly  
22 some public, private, parochial, **or** parish **school**, [~~home school, FPE school~~] or a  
23 combination of such schools not less than the entire school term of the school that the child  
24 attends; except that:

25       (a) A child who, to the satisfaction of the superintendent of public schools of the  
26 district in which such child resides, or if there is no superintendent then the chief school  
27 officer, is determined to be mentally or physically incapacitated may be excused from  
28 attendance at school for the full time required, or any part thereof;

29       (b) A child between fourteen years of age and the compulsory attendance age for the  
30 district may be excused from attendance at school for the full time required, or any part  
31 thereof, by the superintendent of public schools of the district, or if there is none then by a  
32 court of competent jurisdiction, when legal employment has been obtained by the child and  
33 found to be desirable, and after the parents or guardian of the child have been advised of the  
34 pending action; or

35       (c) [~~A child between five and seven years of age shall be excused from attendance at~~  
36 ~~school if a parent, guardian, or other person having charge, control, or custody of the child~~  
37 ~~makes a written request that the child be dropped from the school's rolls ; or~~

38       ~~(d)~~] A child may be excused from attendance at school for the full time required, or  
39 any part thereof, if the child is unable to attend school due to mental or behavioral health  
40 concerns, provided that the school receives documentation from a mental health professional  
41 licensed under chapter 334 or 337 acting within his or her authorized scope of practice stating  
42 that the child is not able to attend school due to such concerns.

43       2. Nothing in this section shall require a private, parochial, parish, home school, or  
44 FPE school to include in its curriculum any concept, topic, or practice in conflict with the  
45 school's religious doctrines or to exclude from its curriculum any concept, topic, or practice  
46 consistent with the school's religious doctrines. Any other provision of the law to the contrary  
47 notwithstanding, all departments or agencies of the state of Missouri shall be prohibited from  
48 dictating through rule, regulation, or other device any statewide curriculum for private,  
49 parochial, parish, home schools, or FPE schools.

50       3. A school year begins on the first day of July and ends on the thirtieth day of June  
51 following.

52       4. (1) As used in this section, the term "compulsory attendance age for the district"  
53 shall mean:

54       (a) Seventeen years of age for any metropolitan school district for which the school  
55 board adopts a resolution to establish such compulsory attendance age; provided that such  
56 resolution shall take effect no earlier than the school year next following the school year  
57 during which the resolution is adopted; and

58       (b) Seventeen years of age or having successfully completed sixteen credits towards  
59 high school graduation in all other cases.

60       (2) The school board of a metropolitan school district for which the compulsory  
61 attendance age is seventeen years may adopt a resolution to lower the compulsory attendance  
62 age to sixteen years; provided that such resolution shall take effect no earlier than the school  
63 year next following the school year during which the resolution is adopted.

64       5. For purposes of home school or FPE school credits toward high school graduation,  
65 as applied in subsection 4 of this section, a "completed credit towards high school graduation"  
66 shall be defined as one hundred hours or more of instruction in a course.

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