

SECOND REGULAR SESSION

# HOUSE BILL NO. 2447

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BOYKO.

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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 compulsory 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Section A. Section 167.031, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.031, to read as follows: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) 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, parish school, home school, FPE school, or full-time equivalent attendance in a combination of such schools between the ages of seven years and the compulsory attendance age for the district.

(2) Any parent, guardian, or other person who enrolls a child between the ages of five and seven years 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. Nonattendance by such child shall cause such parent, guardian, or other responsible person to be in violation of the provisions of section 167.061, except as provided by this section. A parent, guardian, or other person in this state having charge, control, or custody of a child between the ages of seven years of age and the compulsory attendance age for the district shall cause the child to attend regularly some public, private, parochial, parish, home school, FPE school, or a combination of such schools not less than the entire school term of the school that the child attends; except that:

(a) A child who, to the satisfaction of the superintendent of public schools of the district in which such child resides, or if there is no superintendent then the chief school

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.

18 officer, is determined to be mentally or physically incapacitated may be excused from  
19 attendance at school for the full time required, or any part thereof;

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

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

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

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

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

43 4. (1) As used in this section, the term "compulsory attendance age for the district"  
44 shall mean:

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

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

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

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

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