

HOUSE BILL NO. 3123

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MURRAY.

6005H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

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

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Section A. Section 167.031, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.031, to read as follows: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]~~ **when such child is at least five years of age but not older than** the compulsory attendance age for the district.

(2) (a) Any parent, guardian, or other person who enrolls a child ~~[between the ages of]~~ **who is at least five [and seven] years of age but not older than the compulsory attendance age for the district** 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.

(b) 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:

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 ~~[(a)]~~ **a.** A child who **is at least five years of age but not older than the compulsory**
19 **attendance age for the district and who**, to the satisfaction of the superintendent of public
20 schools of the district in which such child resides, or if there is no superintendent then the
21 chief school officer, is determined to be mentally or physically incapacitated may be excused
22 from attendance at school for the full time required, or any part thereof;

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

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

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

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

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

46 4. (1) As used in this section, the term "compulsory attendance age for the district"
47 shall mean:

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

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

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

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

61 **6. For purposes of this subsection, the board of education of a city not within a**
62 **county shall have the same authority to enforce compulsory attendance requirements**
63 **for children who are at least five years of age as provided under this section and section**
64 **167.061. In a city not within a county, compulsory attendance enforcement officers**
65 **including, but not limited to, school attendance officers, juvenile officers, and other**
66 **personnel designated by the board of education shall have jurisdiction over any child**
67 **who is at least five years of age who is subject to compulsory attendance or who is**
68 **enrolled in a public school.**

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