

1 students of compulsory school age and students who remain enrolled
2 beyond the compulsory school age as defined under section one-a of
3 this article; and

4 (2) Take such steps as are, in their discretion, best
5 calculated to correct attitudes of parents and students which
6 result in absences from school even though not clearly in violation
7 of law.

8 (b) (1) In the case of five total unexcused absences of a
9 student during a school year, the attendance director or assistant
10 shall: ~~(1) Serve~~ serve written notice to the parent, guardian or
11 custodian of the student that the attendance of the student at
12 school is required and that within ten days of receipt of the
13 notice the parent, guardian or custodian, accompanied by the
14 student, shall report in person to the school the student attends
15 for a conference with the principal or other designated
16 representative of the school in order to discuss and correct the
17 circumstances causing the inexcusable absences of the student; and
18 if the parent, guardian or custodian does not comply with ~~the~~
19 ~~provisions of~~ this article, then the attendance director or
20 assistant shall make complaint against the parent, guardian or
21 custodian before a magistrate of the county. If it appears from
22 the complaint that there is probable cause to believe that an
23 offense has been committed and that the accused has committed it,
24 a summons or a warrant for the arrest of the accused shall issue to

1 any officer authorized by law to serve the summons or to arrest
2 persons charged with offenses against the state. More than one
3 parent, guardian or custodian may be charged in a complaint.
4 Initial service of a summons or warrant issued pursuant to ~~the~~
5 ~~provisions of~~ this section shall be attempted within ten calendar
6 days of receipt of the summons or warrant and subsequent attempts
7 at service shall continue until the summons or warrant is executed
8 or until the end of the school term during which the complaint is
9 made, whichever is later.

10 (2) For purposes of this section five unexcused occasions on
11 which the student is tardy for school may equal one unexcused
12 absence.

13 (c) The magistrate court clerk, or the clerk of the circuit
14 court performing the duties of the magistrate court as authorized
15 in section eight, article one, chapter fifty of this code, shall
16 assign the case to a magistrate within ten days of execution of the
17 summons or warrant. The hearing shall be held within twenty days
18 of the assignment to the magistrate, subject to lawful continuance.
19 The magistrate shall provide to the accused at least ten days'
20 advance notice of the date, time and place of the hearing.

21 (d) When any doubt exists as to the age of a student absent
22 from school, the attendance director has authority to require a
23 properly attested birth certificate or an affidavit from the
24 parent, guardian or custodian of the student, stating age of the

1 student. In the performance of his or her duties, the county
2 attendance director has authority to take without warrant any
3 student absent from school in violation of ~~the provisions of this~~
4 article and to place the student in the school in which he or she
5 is or should be enrolled.

6 (e) The county attendance director shall devote such time as
7 is required by section three of this article to the duties of
8 attendance director in accordance with this section during the
9 instructional term and at such other times as the duties of an
10 attendance director are required. All attendance directors hired
11 for more than two hundred days may be assigned other duties
12 determined by the superintendent during the period in excess of two
13 hundred days. The county attendance director is responsible under
14 direction of the county superintendent for efficiently
15 administering school attendance in the county.

16 (f) In addition to those duties directly relating to the
17 administration of attendance, the county attendance director and
18 assistant directors also shall perform the following duties:

19 (1) Assist in directing the taking of the school census to see
20 that it is taken at the time and in the manner provided by law;

21 (2) Confer with principals and teachers on the comparison of
22 school census and enrollment for the detection of possible
23 nonenrollees;

24 (3) Cooperate with existing state and federal agencies charged

1 with enforcing child labor laws;

2 (4) Prepare a report for submission by the county
3 superintendent to the State Superintendent of Schools on school
4 attendance, at such times and in such detail as may be required.
5 The state board shall promulgate a legislative rule pursuant to
6 article three-b, chapter twenty-nine-a of this code that sets forth
7 student absences that are excluded for accountability purposes.
8 The absences that are excluded by the rule include, but are not be
9 limited to, excused student absences, students not in attendance
10 due to disciplinary measures and absent students for whom the
11 attendance director has pursued judicial remedies to compel
12 attendance to the extent of his or her authority. The attendance
13 director shall file with the county superintendent and county board
14 at the close of each month a report showing activities of the
15 school attendance office and the status of attendance in the county
16 at the time;

17 (5) Promote attendance in the county by compiling data for
18 schools and by furnishing suggestions and recommendations for
19 publication through school bulletins and the press, or in such
20 manner as the county superintendent may direct;

21 (6) Participate in school teachers' conferences with parents
22 and students;

23 (7) Assist in such other ways as the county superintendent may
24 direct for improving school attendance;

1 (8) Make home visits of students who have excessive unexcused
2 absences, as provided above, or if requested by the chief
3 administrator, principal or assistant principal; and

4 (9) Serve as the liaison for homeless children and youth.

NOTE: The purpose of this bill is to provide that five unexcused occasions on which a student is tardy for school may equal one unexcused absence.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.