

SECOND REGULAR SESSION

# SENATE BILL NO. 791

91ST GENERAL ASSEMBLY

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INTRODUCED BY SENATOR BLAND.

Pre-filed December 1, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

2882S.011

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## AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to pilot program of urban early compulsory school attendance, with penalty provisions.

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

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be known as section 167.192, to read as follows:

**167.192. 1. There is hereby established a pilot program of urban early compulsory school attendance in each urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants.**

**2. Every parent, guardian or other person in any school district described in subsection 1 of this section having charge, control or custody of a child not enrolled in a public, private, parochial, parish school or full-time equivalent attendance in a combination of such schools and between the ages of five and seven years is responsible for enrolling the child in a program of academic instruction which complies with subsection 2 of section 167.031; except that the provisions of this section shall not apply during any school year for any child who reached the age of five years after August first of that school year.**

**3. A parent, guardian or other person in any school district described in subsection 1 of this section having charge, control or custody of a child between the ages of five and seven years shall cause the child to attend regularly some public, private, parochial, parish, home school or a combination of such schools not less than the entire school term of the school which the child attends; except that a child who, to the satisfaction of the superintendent of public schools of the district in which he**

**resides, or if there is no superintendent then the chief school officer, is determined to be mentally or physically incapacitated may be excused from attendance at school for the full time required, or any part thereof.**

**4. Any parent, guardian or other person having charge, control or custody of a child who violates the provisions of subsection 3 of this section is guilty of a class C misdemeanor. Upon conviction and pending any judicial appeal, the defendant shall be required to enroll the child in a public, private, parochial, parish or home school within three public school days, after which each successive school day shall constitute a separate violation of subsection 3 of this section. The fine or imprisonment, or both, may be suspended and finally remitted by the court, with or without the payment of costs, at the discretion of the court, if the child is immediately placed and kept in regular attendance at a public, private, parochial, parish or home school and if the fact of regular attendance is proved subsequently to the satisfaction of the court. A certificate stating that the child is regularly attending a public, private, parochial or parish school and properly attested by the superintendent, principal or person in charge of the school is prima facie evidence of regular attendance by the child.**

**5. The school board of each such district shall provide a report to the commissioner of education, no later than December 1, 2004, regarding the effectiveness of the program established pursuant to this section in that district.**

Bill

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