

SENATE BILL 810

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 37; Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6, relative to school attendance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3007(e), is amended by deleting the subsection in its entirety and substituting instead:

(1) It is the duty of the principal or teacher of every public, private, or parochial school to report promptly to the director of schools, or the director of schools' designated representative, the names of all children who have withdrawn from school, or who have been absent three (3) days without adequate excuse. This means an aggregate of three (3) days during the school year and not necessarily three (3) consecutive days. Each successive accumulation of three (3) unexcused absences by a student shall also be reported.

(2) After a child has three (3) unexcused absences, the director of schools shall serve, or cause to be served, upon the parent, guardian or other person in this state in parental relation to the child unlawfully absent from school, written notice that attendance of the child at school is required. A new notice shall be sent after each successive accumulation of three (3) unexcused absences.

(3) If it appears that, within three (3) days after receipt of the second notice sent under subdivision (e)(2), any child, parent, guardian, or other person in parental relation has failed to comply with this part, the director of schools, in the name of the local school system, shall report the facts of the unlawful attendance to the sheriff, constable, city police officer, district attorney general, or the foreman of the grand jury, who shall

proceed against the parent, guardian, or other person in parental relation in accordance with this part, unless the parent, guardian, or person having charge and control of the child shall at once place the child in some day school.

SECTION 2. Tennessee Code Annotated, Section 49-6-3007(f), is amended by deleting the subsection in its entirety and substituting instead:

(1) The director of schools of any local school system, after the second written notice to the parent or guardian of a child under subdivision (e)(2), shall report any child who has missed six (6) days of school without adequate excuse to the appropriate judge having juvenile jurisdiction in that county. Each case shall be dealt with in such manner as the judge may determine to be in the best interest of the child, consistent with §§ 37-1-132, 37-1-168, and 37-1-169. If a child is absent without adequate excuse six (6) or more days during any school year and the child is adjudicated to be unruly, the judge may assess a fine of up to fifty dollars (\$50.00) or five (5) hours of community service, in the discretion of the judge, against the parents or legal guardians of the child.

(2) After a child has had four (4) excused absences from school in a semester, the child shall not receive another excused absence without an adequate written excuse. To have the absence excused, the child shall present a written note, attesting to the reason that the child was absent, from a doctor, court official, or other adult with knowledge of the reason for the absence. The reason shall meet the requirements of the LEA's attendance policy for excused absences for the child to receive an excused absence.

SECTION 3. Tennessee Code Annotated, Section 49-6-3009(c), is amended by deleting the language "more than five (5) days" and substituting instead "six (6) or more days".

SECTION 4. Tennessee Code Annotated, Section 49-6-3021(c)(1), is amended by deleting the language "five (5)" wherever it appears and substituting instead the language "three (3)" and by deleting the word "fifth" and substituting instead the word "three".

SECTION 5. This act shall take effect July 1, 2015, the public welfare requiring it.