

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL 1940

By: Strom and Caldwell (Trey)  
of the House

6 and

7 Hicks of the Senate

8  
9 COMMITTEE SUBSTITUTE

10 An Act relating to school attendance; amending 70  
11 O.S. 2011, Section 10-106, which relates to  
12 compulsory attendance; excusing absence due to  
13 school-approved activities and approved  
14 extracurricular activities; and providing an  
15 effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 70 O.S. 2011, Section 10-106, is  
18 amended to read as follows:

19 Section 10-106. A. It shall be the duty of the principal or  
20 head teacher of each public, private or other school in the State of  
21 Oklahoma to keep a full and complete record of the attendance of all  
22 children at such school and to notify the attendance officer of the  
23 district in which such school is located of the absence of such  
24 children from the school together with the causes thereof, if known;  
and it shall be the duty of any parent, guardian or other person

1 having charge of any child of compulsory attendance age to notify  
2 the child's teacher concerning the cause of any absences of such  
3 child. It shall be the duty of the principal or head teacher to  
4 notify the parent, guardian or responsible person of the absence of  
5 the child for any part of the school day, unless the parent,  
6 guardian or other responsible person notifies the principal or head  
7 teacher of such absence. Such attendance officer and teacher shall  
8 be required to report to the school health officer all absences on  
9 account of illness with such information respecting the same as may  
10 be available by report or investigation; and the attendance officer  
11 shall, if justified by the circumstances, promptly give to the  
12 parent, guardian or custodian of any child who has not complied with  
13 the provisions of this article oral and documented or written  
14 warning to the last-known address of such person that the attendance  
15 of such child is required at some public, private or other school as  
16 herein provided. If within five (5) days after the warning has been  
17 received, the parent, guardian or custodian of such child does not  
18 comply with the provisions of this article, then such attendance  
19 officer shall make complaint against the parent, guardian or  
20 custodian of such child in a court of competent jurisdiction for  
21 such violation, which violation shall be a misdemeanor. If a child  
22 is absent without valid excuse four (4) or more days or parts of  
23 days within a four-week period or is absent without valid excuse for  
24 ten (10) or more days or parts of days within a semester, the

1 attendance officer shall notify the parent, guardian or custodian of  
2 the child and immediately report such absences to the district  
3 attorney in the county wherein the school is located for juvenile  
4 proceedings pursuant to Title 10A of the Oklahoma Statutes.

5 B. As used in this section, "valid excuse" includes, but is not  
6 limited to, absences for:

7 1. Any school-approved activity; or

8 2. Participation in extracurricular activities approved by the  
9 board of education or the school principal.

10 SECTION 2. This act shall become effective November 1, 2019.

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