

1 **SENATE FLOOR VERSION**

2 March 26, 2019

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 1940

By: Strom and Caldwell (Trey)
of the House

and

Hicks of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

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

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

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

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

8 1. Any school-approved activity; or

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
13 March 26, 2019 - DO PASS AS AMENDED

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