



# Senate

General Assembly

**File No. 480**

February Session, 2014

Senate Bill No. 217

*Senate, April 10, 2014*

The Committee on Education reported through SEN. STILLMAN of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING EXCUSED ABSENCES FROM SCHOOL FOR CHILDREN OF SERVICE MEMBERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-198a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 (a) For purposes of this section, "truant" means a child age five to  
4 eighteen, inclusive, who is enrolled in a public or private school and  
5 has four unexcused absences from school in any one month or ten  
6 unexcused absences from school in any school year, except as  
7 provided in subsection (f) of this section.

8 (b) Each local and regional board of education shall adopt and  
9 implement policies and procedures concerning truants who are  
10 enrolled in schools under the jurisdiction of such board of education.  
11 Such policies and procedures shall include, but need not be limited to,  
12 the following: (1) The holding of a meeting with the parent of each  
13 child who is a truant, or other person having control of such child, and

14 appropriate school personnel to review and evaluate the reasons for  
15 the child being a truant, provided such meeting shall be held not later  
16 than ten school days after the child's fourth unexcused absence in a  
17 month or tenth unexcused absence in a school year, (2) coordinating  
18 services with and referrals of children to community agencies  
19 providing child and family services, (3) annually at the beginning of  
20 the school year and upon any enrollment during the school year,  
21 notifying the parent or other person having control of each child  
22 enrolled in a grade from kindergarten to eight, inclusive, in the public  
23 schools in writing of the obligations of the parent or such other person  
24 pursuant to section 10-184, (4) annually at the beginning of the school  
25 year and upon any enrollment during the school year, obtaining from  
26 the parent or other person having control of each child in a grade from  
27 kindergarten to eight, inclusive, a telephone number or other means of  
28 contacting such parent or such other person during the school day, and  
29 (5) a system of monitoring individual unexcused absences of children  
30 in grades kindergarten to eight, inclusive, which shall provide that  
31 whenever a child enrolled in school in any such grade fails to report to  
32 school on a regularly scheduled school day and no indication has been  
33 received by school personnel that the child's parent or other person  
34 having control of the child is aware of the pupil's absence, a reasonable  
35 effort to notify, by telephone and by mail, the parent or such other  
36 person shall be made by school personnel or volunteers under the  
37 direction of school personnel. Such mailed notice shall include a  
38 warning that two unexcused absences from school in a month or five  
39 unexcused absences in a school year may result in a complaint filed  
40 with the Superior Court pursuant to section 46b-149 alleging the belief  
41 that the acts or omissions of the child are such that the child's family is  
42 a family with service needs. Any person who, in good faith, gives or  
43 fails to give notice pursuant to subdivision (5) of this subsection shall  
44 be immune from any liability, civil or criminal, which might otherwise  
45 be incurred or imposed and shall have the same immunity with  
46 respect to any judicial proceeding which results from such notice or  
47 failure to give such notice.

48 (c) If the parent or other person having control of a child who is a

49 truant fails to attend the meeting held pursuant to subdivision (1) of  
50 subsection (b) of this section or if such parent or other person  
51 otherwise fails to cooperate with the school in attempting to solve the  
52 truancy problem, such policies and procedures shall require the  
53 superintendent of schools to file, not later than fifteen calendar days  
54 after such failure to attend such meeting or such failure to cooperate  
55 with the school attempting to solve the truancy problem, for each such  
56 truant enrolled in the schools under his jurisdiction a written  
57 complaint with the Superior Court pursuant to section 46b-149 alleging  
58 the belief that the acts or omissions of the child are such that the child's  
59 family is a family with service needs.

60 (d) Nothing in subsections (a) to (c), inclusive, of this section shall  
61 preclude a local or regional board of education from adopting policies  
62 and procedures pursuant to this section which exceed the  
63 requirements of said subsections.

64 (e) The provisions of this section shall not apply to any child  
65 receiving equivalent instruction pursuant to section 10-184.

66 (f) A student whose parent or legal guardian is an active duty  
67 member of the uniformed services and has been called to duty for, is  
68 on leave from, or has immediately returned from deployment to a  
69 combat zone or combat support posting, shall be granted ten days of  
70 excused absences in any school year and, at the discretion of the local  
71 or regional board of education, additional excused absences to visit the  
72 student's parent or legal guardian relative to such leave or deployment  
73 of the parent or legal guardian. In the case of excused absences  
74 pursuant to this subsection, the student and parent or legal guardian  
75 shall be responsible for obtaining assignments from the student's  
76 teacher prior to any period of excused absence, and for ensuring that  
77 such assignments are completed by the student prior to his or her  
78 return to school from such period of excused absence.

This act shall take effect as follows and shall amend the following sections:



The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

There is no cost associated with providing students, whose parent or guardian is an active duty member of the military, additional excused absences, as the change is procedural in nature.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****SB 217*****AN ACT CONCERNING EXCUSED ABSENCES FROM SCHOOL FOR CHILDREN OF SERVICE MEMBERS.*****SUMMARY:**

This bill requires local or regional boards of education to grant 10 days of excused absence in any school year to any student whose parent or legal guardian is an active duty member of the uniformed services who (1) has been called for, (2) is on leave from, or (3) has immediately returned from deployment in a combat zone or combat support posting. It also allows the boards to grant additional excused absences for such visits.

The bill does not define “active duty member of the uniformed services.” But based on the federal definition of “active duty” (see BACKGROUND), the bill appears to apply to children of full-time members of the U.S. Armed Forces, but not National Guard members or reservists. Like the bill, the existing Interstate Compact on Educational Opportunity for Military Children, to which Connecticut is a signatory, allows the boards to grant additional excused absences under the circumstances outlined in the bill. Under the compact, active duty service members include National Guard members and reservists.

Under the bill, the student and parent or legal guardian are responsible for (1) getting assignments from the student’s teacher before leaving and (2) ensuring the assignments are completed before the student returns to school.

EFFECTIVE DATE: July 1, 2014

**BACKGROUND**

**Active Duty**

Federal law defines “active duty” as full-time duty in the U.S. military services. The definition does not include the National Guard and the Reserves (10 USC § 101(d)(1)). Federal law defines “uniformed services” as members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services (10 USC § 101(a)(5)).

**Unexcused and Excused Absences**

By law, students are allowed up to three unexcused absences in a month or up to nine unexcused absences in a school year before they are considered truants.

According to the State Board of Education’s definitions of excused and unexcused absences, an absence is considered excused if:

1. for absences one through nine, the student provides written documentation (i.e., a signed note from parent or guardian) of the reason for the absence submitted within 10 school days after returning to school and
2. for the 10<sup>th</sup> and any additional absences, the student provides the same written documentation giving one of the following reasons for the absence: (a) the student’s illness (with appropriate verification from a medical professional), (b) observance of a religious holiday, (c) death in the family or other emergency beyond the family’s control, (d) mandated court appearance, (e) lack of transportation that the district normally provides, or (f) extraordinary educational opportunity pre-approved by the district in accordance with SDE guidance.

An absence is considered unexcused unless it meets one of the definitions of an excused absence or is a disciplinary absence. All other absences are unexcused.

**COMMITTEE ACTION**

Veterans' Affairs Committee

Joint Favorable Change of Reference

Yea 14 Nay 0 (03/11/2014)

Education Committee

Joint Favorable

Yea 32 Nay 0 (03/24/2014)