SPONSOR: Rep. Barbieri & Sen. Townsend
Reps. Hudson, Q. Johnson, Miro, Mitchell, Scott; Sens. Ennis, Henry, Poore, Sokola

HOUSE OF REPRESENTATIVES
147th GENERAL ASSEMBLY

HOUSE BILL NO. 24

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL ATTENDANCE REQUIREMENTS.

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

Section 1. Amend §2702(d), Title 14 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

(d) The following provisions shall be applicable in regard to statewide minimum mandatory attendance requirements in each school year for children in grades K through ~~5~~12.

Section 2. Amend §2702(d)(3), Title 14 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

(3) Following the ~~30~~20th day of unexcused absence by a student, the school shall refer the case for prosecution.

Section 3. Amend §2725(c) Title 14 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

(c) Following a truancy conference the school shall decide whether or not to file a charge against the parent for a violation of § 2702 of this title; provided however, that the principal shall refer the case for prosecution following the ~~30~~ 20th day of unexcused absence by a student during the school year, in compliance with § 2702(d) of this title, and may refer the case before the ~~30~~20th day of unexcused absence if the principal determines it is appropriate to do so.

SYNOPSIS

This Bill implements recommendations from the Truancy Task Force by changing provisions of the Delaware Code regarding compulsory attendance and when a truancy case must be brought to the Truancy Court. Specifically, school attendance requirements shall apply to enrolled students through grade 12 and the school shall refer a case for prosecution after the 20th day of unexcused absence by a student. The amendments will provide for earlier intervention by the Court as well as providing a mechanism to address the needs of truant students past grade 5.

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