

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1429

By: Brecheen

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6 AS INTRODUCED

7 An Act relating to truancy; amending 70 O.S. 2011,
8 Section 24-120, which relates to the exchange of
9 information on truant children; requiring certain
10 database; providing an effective date; and declaring
11 an emergency.

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

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-120, is
14 amended to read as follows:

15 Section 24-120. A. At the close of each attendance period of
16 the school term, the board of education of each school district
17 shall notify in writing the Department of Human Services of the name
18 of any child who has not been present for instruction at least
19 eighty percent (80%) of the time without valid excuse as defined in
20 Section 10-105 of this title.

21 B. Upon the receipt of such information from the school
22 district, the Director of the Department of Human Services is
23 authorized to withhold assistance payments to the payee of such
24 child and to instigate an investigation for the purpose of improving

1 the school attendance of such child. After such investigation, if
2 the attendance record of the child investigated is satisfactory,
3 such withheld payments may be released. In the event the
4 investigation results in a change in custody and care of such child,
5 payments to the payee shall be canceled or shall be made to the
6 person qualified to receive benefits on behalf of the child.

7 C. ~~For purposes of the pilot project, the~~ The Department of
8 Human Services and the State Board of Education shall establish a
9 procedure to provide for the exchange of information required by
10 this section concerning students subject to the provisions of this
11 section. Any procedure thus established shall, if applicable,
12 comply with the requirements of the Family Educational Rights and
13 Privacy Act, 20 U.S.C. Section 1232g et seq., and any other
14 applicable federal law. Any information exchanged pursuant to this
15 section shall be maintained in a database which shall be jointly
16 operated by and accessible to the Department of Human Services and
17 the State Department of Education.

18 D. The district attorney shall file with the Department of
19 Human Services a report identifying any child who has been convicted
20 of truancy within thirty (30) days of such conviction.

21 SECTION 2. This act shall become effective July 1, 2012.

22 SECTION 3. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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