

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 497

By: Brecheen

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5  
6 AS INTRODUCED

7 An Act relating to school attendance; stating  
8 legislative purpose; amending 70 O.S. 2001, Section  
9 10-106, as amended by Section 157, Chapter 234,  
10 O.S.L. 2009 (70 O.S. Supp. 2010, Section 10-106),  
11 which relates to compulsory attendance; adding  
12 certain definition; providing for noncodification;  
13 providing an effective date; and declaring an  
14 emergency.

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

16 SECTION 1. NEW LAW A new section of law not to be  
17 codified in the Oklahoma Statutes reads as follows:

18 The purpose of this act is to define "valid excuse" in relation  
19 to school attendance and to encourage extracurricular learning.

20 SECTION 2. AMENDATORY 70 O.S. 2001, Section 10-106, as  
21 amended by Section 157, Chapter 234, O.S.L. 2009 (70 O.S. Supp.  
22 2010, Section 10-106), is amended to read as follows:

23 Section 10.106. A. It shall be the duty of the principal or  
24 head teacher of each public, private or other school in the State of  
Oklahoma to keep a full and complete record of the attendance of all

1 children at such school and to notify the attendance officer of the  
2 district in which such school is located of the absence of such  
3 children from the school together with the causes thereof, if known;  
4 and it shall be the duty of any parent, guardian or other person  
5 having charge of any child of compulsory attendance age to notify  
6 the child's teacher concerning the cause of any absences of such  
7 child. It shall be the duty of the principal or head teacher to  
8 notify the parent, guardian or responsible person of the absence of  
9 the child for any part of the school day, unless the parent,  
10 guardian or other responsible person notifies the principal or head  
11 teacher of such absence. Such attendance officer and teacher shall  
12 be required to report to the school health officer all absences on  
13 account of illness with such information respecting the same as may  
14 be available by report or investigation; and the attendance officer  
15 shall, if justified by the circumstances, promptly give to the  
16 parent, guardian or custodian of any child who has not complied with  
17 the provisions of this article oral and documented or written  
18 warning to the last-known address of such person that the attendance  
19 of such child is required at some public, private or other school as  
20 herein provided. If within five (5) days after the warning has been  
21 received, the parent, guardian or custodian of such child does not  
22 comply with the provisions of this article, then such attendance  
23 officer shall make complaint against the parent, guardian or  
24 custodian of such child in a court of competent jurisdiction for

1 such violation, which violation shall be a misdemeanor. If a child  
2 is absent without valid excuse four (4) or more days or parts of  
3 days within a four-week period or is absent without valid excuse for  
4 ten (10) or more days or parts of days within a semester, the  
5 attendance officer shall notify the parent, guardian or custodian of  
6 the child and immediately report such absences to the district  
7 attorney in the county wherein the school is located for juvenile  
8 proceedings pursuant to Title 10A of the Oklahoma Statutes.

9 B. For purposes of this section "valid excuse" means any  
10 absence due to the following:

11 1. Medical treatment that is substantiated by a physician's  
12 written statement and received within five (5) school days of the  
13 absence;

14 2. Any school approved activity;

15 3. The death of a family member;

16 4. Observance of a Religious holiday or activity;

17 5. Participation in extracurricular activities approved by the  
18 school principal, provided that the student requesting approval is  
19 in the 10th, 11th and/or 12th grade and has at least a 3.25 grade  
20 point average (GPA) on a 4.0 scale. Extracurricular activities  
21 should be designed to broaden the students educational horizons and  
22 provide educational opportunities outside the classroom; or

23 6. Any other reason deemed appropriate by each local school  
24 district.

1 SECTION 3. This act shall become effective July 1, 2011.

2 SECTION 4. It being immediately necessary for the preservation  
3 of the public peace, health and safety, an emergency is hereby  
4 declared to exist, by reason whereof this act shall take effect and  
5 be in full force from and after its passage and approval.

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