

1 S.334

2 Introduced by Senators Nitka, Clarkson, Hooker and Starr

3 Referred to Committee on

4 Date:

5 Subject: Education; mandatory school attendance

6 Statement of purpose of bill as introduced: This bill proposes to increase the
7 mandatory age of school attendance to 18 years of age in half-year increments,
8 beginning on July 1, 2020 and ending on July 1, 2023.

9 An act relating to increasing gradually the mandatory age of school
10 attendance

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 * * * Legal School Age; Incremental Increases * * *

13 Sec. 1. 16 V.S.A. § 1121 is amended to read:

14 § 1121. ATTENDANCE BY CHILDREN OF SCHOOL AGE REQUIRED

15 A person having the control of a child between ~~the ages of six years of age~~
16 and 16 years, 183 days shall cause the child to attend a public school, an
17 approved or recognized independent school, an approved education program,
18 or a home study program for the full number of days for which that school is
19 held, unless the child:

20 (1) is mentally or physically unable so to attend; or

1 (2) has completed the ~~tenth~~ 12th grade; or

2 (3) is excused by the superintendent or a majority of the school directors
3 as provided in this chapter; or

4 (4) is enrolled in and attending a postsecondary school, as defined in
5 subdivision 176(b)(1) of this title, ~~which~~ that is approved or accredited in
6 Vermont or another state.

7 Sec. 2. 16 V.S.A. § 1121 is amended to read:

8 § 1121. ATTENDANCE BY CHILDREN OF SCHOOL AGE REQUIRED

9 A person having the control of a child between six years of age and
10 ~~16 years, 183 days~~ 17 years of age shall cause the child to attend a public
11 school, an approved or recognized independent school, an approved education
12 program, or a home study program for the full number of days for which that
13 school is held, unless the child:

14 (1) is mentally or physically unable so to attend; or

15 (2) has completed the 12th grade; or

16 (3) is excused by the superintendent or a majority of the school directors
17 as provided in this chapter; or

18 (4) is enrolled in and attending a postsecondary school, as defined in
19 subdivision 176(b)(1) of this title, that is approved or accredited in Vermont or
20 another state.

1 Sec. 3. 16 V.S.A. § 1121 is amended to read:

2 § 1121. ATTENDANCE BY CHILDREN OF SCHOOL AGE REQUIRED

3 A person having the control of a child between six years of age and 17 years
4 ~~of age, 183 days~~ shall cause the child to attend a public school, an approved or
5 recognized independent school, an approved education program, or a home
6 study program for the full number of days for which that school is held, unless
7 the child:

8 (1) is mentally or physically unable so to attend; or

9 (2) has completed the 12th grade; or

10 (3) is excused by the superintendent or a majority of the school directors
11 as provided in this chapter; or

12 (4) is enrolled in and attending a postsecondary school, as defined in
13 subdivision 176(b)(1) of this title, that is approved or accredited in Vermont or
14 another state.

15 Sec. 4. 16 V.S.A. § 1121 is amended to read:

16 § 1121. ATTENDANCE BY CHILDREN OF SCHOOL AGE REQUIRED

17 A person having the control of a child between six years of age and
18 ~~17 years, 183 days~~ 18 years of age shall cause the child to attend a public
19 school, an approved or recognized independent school, an approved education
20 program, or a home study program for the full number of days for which that
21 school is held, unless the child:

- 1 (1) is mentally or physically unable so to attend; or
- 2 (2) has completed the 12th grade; or
- 3 (3) is excused by the superintendent or a majority of the school directors
- 4 as provided in this chapter; or
- 5 (4) is enrolled in and attending a postsecondary school, as defined in
- 6 subdivision 176(b)(1) of this title, that is approved or accredited in Vermont or
- 7 another state.

8 * * * Related Provisions * * *

9 Sec. 5. 16 V.S.A. § 1122 is amended to read:

10 § 1122. ~~STUDENTS OVER 16~~ WHO EXCEED THE ESTABLISHED
11 SCHOOL AGE

12 A person having the control of a child ~~over 16 years of age~~ who exceeds the
13 maximum age set forth in section 1121 of this title who allows the child to
14 become enrolled in a public school shall cause the child to attend the school
15 continually for the full number of the school days of the term in which he or
16 she is enrolled, unless the child is mentally or physically unable to continue; or
17 is excused in writing by the superintendent or a majority of the school
18 directors. In case of such enrollment, the person, and the teacher, child,
19 superintendent, and school directors shall be under the laws and subject to the
20 penalties relating to the school attendance of children between the ages ~~of six~~
21 and 16 years set forth in section 1121 of this title.

1 Sec. 6. 16 V.S.A. § 1126 is amended to read:

2 § 1126. FAILURE TO ATTEND; NOTICE

3 When a student between the ages ~~of six and 16 years~~, set forth in section
4 1121 of this title who is not excused or exempted from school attendance, fails
5 to enter school at the beginning of the academic year, or being enrolled, fails to
6 attend the school, and when a student who ~~is at least 16 years of age~~ exceeds
7 the maximum age set forth in section 1121 of this title becomes enrolled in a
8 public school and fails to attend, the teacher or principal shall notify the truant
9 officer and either the superintendent or the school board unless the teacher or
10 principal is satisfied that the student is absent on account of illness.

11 Sec. 7. 16 V.S.A. § 1128(a) is amended to read:

12 (a) A superintendent may and the truant officer shall stop a child between
13 the ages ~~of six and 16 years or a child 16 years of age or over~~ set forth in
14 section 1121 of this title or a child who exceeds the maximum age set forth in
15 section 1121 of this title and enrolled in public school, wherever found during
16 school hours, and shall, unless such child is excused or exempted from school
17 attendance, take the child to the school ~~which~~ that she or he should attend.

18 * * * Effective Dates * * *

19 Sec. 8. EFFECTIVE DATES

20 (a) Sec. 1 shall take effect on July 1, 2020 but shall not apply to a child
21 who lawfully stopped attending school prior to that date.

1 (b) Sec. 2 shall take effect on July 1, 2021 but shall not apply to a child
2 who lawfully stopped attending school prior to that date.

3 (c) Sec. 3 shall take effect on July 1, 2022 but shall not apply to a child
4 who lawfully stopped attending school prior to that date.

5 (d) Sec. 4 shall take effect on July 1, 2023 but shall not apply to a child
6 who lawfully stopped attending school prior to that date.

7 (e) This section and Secs. 5 through 7 shall take effect on July 1, 2020.