

1 S.249

2 Introduced by Senators Nitka and Clarkson

3 Referred to Committee on

4 Date:

5 Subject: Education; mandatory school attendance age

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, 2023 and ending on July 1, 2026.

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; ~~or~~

7 (5) is enrolled in and attending or has completed a secondary career
8 technical education program, as defined in subdivision 1522(3) of this title; a
9 comprehensive high school program, as defined in subdivision 1522(14) of this
10 title; or a student apprenticeship program, as defined in subdivision 1601(6) of
11 this title.

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

13 § 1121. ATTENDANCE BY CHILDREN OF SCHOOL AGE REQUIRED

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

19 * * *

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 * * *

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

10 § 1121. ATTENDANCE BY CHILDREN OF SCHOOL AGE REQUIRED

11 A person having the control of a child between six years of age and
12 ~~17 years, 183 days~~ 18 years of age shall cause the child to attend a public
13 school, an approved or recognized independent school, an approved education
14 program, or a home study program for the full number of days for which that
15 school is held, unless the child:

16 * * *

17 * * * Related Provisions * * *

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

19 § 1122. STUDENTS ~~OVER 16~~ WHO EXCEED THE ESTABLISHED

20 SCHOOL AGE

1 A person having the control of a child ~~over 16 years of age~~ who exceeds the
2 maximum age set forth in section 1121 of this title who allows the child to
3 become enrolled in a public school shall cause the child to attend the school
4 continually for the full number of the school days of the term in which he or
5 she is enrolled, unless the child is mentally or physically unable to continue; or
6 is excused in writing by the superintendent or a majority of the school
7 directors. In case of such enrollment, the person; and the teacher, child,
8 superintendent, and school directors shall be under the laws and subject to the
9 penalties relating to the school attendance of children between the ages ~~of six~~
10 ~~and 16 years~~ set forth in section 1121 of this title.

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

12 § 1126. FAILURE TO ATTEND; NOTICE

13 When a student between the ages ~~of six and 16 years~~, set forth in section
14 1121 of this title who is not excused or exempted from school attendance; fails
15 to enter school at the beginning of the academic year or, being enrolled, fails to
16 attend the school, and when a student who ~~is at least 16 years of age~~ exceeds
17 the maximum age set forth in section 1121 of this title becomes enrolled in a
18 public school and fails to attend, the teacher or principal shall notify the truant
19 officer and either the superintendent or the school board, unless the teacher or
20 principal is satisfied that the student is absent on account of illness.

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

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

7 * * * Effective Dates * * *

8 Sec. 8. EFFECTIVE DATES

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

11 (b) Sec. 2 shall take effect on July 1, 2024 but shall not apply to a child
12 who lawfully stopped attending school prior to that date.

13 (c) Sec. 3 shall take effect on July 1, 2025 but shall not apply to a child
14 who lawfully stopped attending school prior to that date.

15 (d) Sec. 4 shall take effect on July 1, 2026 but shall not apply to a child
16 who lawfully stopped attending school prior to that date.

17 (e) This section and Secs. 5–7 shall take effect on July 1, 2022.