

1 House BILL NO. 483
 2 INTRODUCED BY Blussauet Locken
 3 [By Request]
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE COMPULSORY
 5 ENROLLMENT AND ATTENDANCE LAWS REMOVING REFERENCES TO
 6 COMPLETION OF THE WORK OF THE EIGHTH GRADE, AND AMENDING
 7 SECTIONS 75-6303 AND 75-6304, R.C.M. 1947."
 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 75-6303, R.C.M. 1947, is amended to
 11 read as follows:

12 "75-6303. Compulsory enrollment and excuses. Any
 13 parent, guardian or other person who is responsible for the
 14 care of any child who is seven (7) years of age or older
 15 prior to the first day of school in any school fiscal year
 16 and has not yet reached his sixteenth birthday ~~and who has~~
 17 ~~not completed the work of the eighth (8th) grade~~, shall
 18 cause the child to be instructed in the English language and
 19 in the subjects prescribed by section 75-7503 or section
 20 75-7504, whichever is applicable. Such parent, guardian or
 21 other person shall enroll the child in the school assigned
 22 by the trustees of the district within the first week of the
 23 school term or when he establishes residence in the district
 24 unless:

25 (1) the child is enrolled in a private institution

1 which provides instruction in the subjects prescribed by
 2 section 75-7503 or section 75-7504, whichever is applicable,
 3 and in which the basic language taught is English;

4 (2) the child is enrolled in a school of another
 5 district or state under any of the tuition provisions of
 6 this Title;

7 (3) the child is provided with supervised
 8 correspondence study or supervised home study under the
 9 transportation provisions of this Title; or

10 (4) the child is excused from enrollment in a school of
 11 the district when it is shown that his bodily or mental
 12 condition does not permit his attendance and the child
 13 cannot be instructed under the special education provisions
 14 of this Title.

15 The excuse provided for in subsection (4), above, shall
 16 be issued by the district superintendent, or the county
 17 superintendent when there is no district superintendent
 18 employed by the district. Whenever an excuse is denied by
 19 the applicable official, an appeal of such decision may be
 20 made to the district court of the county within ten (10)
 21 days after the decision upon giving a bond in the amount set
 22 by the court to pay all costs of the appeal. The decision of
 23 the district court shall be final.

24 (5) the child is excused from compulsory school
 25 attendance upon a determination by a district judge that

1 such attendance is not in the best interest of the child."

2 Section 2. Section 75-6304, R.C.M. 1947, is amended to
3 read as follows:

4 "75-6304. Compulsory attendance and excuses. Any
5 parent, guardian or other person who is responsible for the
6 care of any child who is seven (7) years of age or older
7 prior to the first day of school in any school fiscal year
8 but has not yet reached his sixteenth birthday,~~or-of-a~~
9 ~~child-who-has-not-completed-the-work-of--the--eighth--grade,~~
10 shall cause the child to attend the school in which he is
11 enrolled for the school term and each school day therein
12 prescribed by the trustees of the district unless:

13 (1) the child has been excused under one of the
14 conditions specified in section 75-6303;

15 (2) the child is absent because of illness, bereavement
16 or other reason prescribed by the policies of the trustees;
17 or

18 (3) the child has been suspended or expelled under the
19 provisions of section 75-6311."

-End-

SECOND READING

MISSING

1 such attendance is not in the best interest of the child."

2 Section 2. Section 75-6304, R.C.M. 1947, is amended to
3 read as follows:

4 "75-6304. Compulsory attendance and excuses. Any
5 parent, guardian or other person who is responsible for the
6 care of any child who is seven (7) years of age or older
7 prior to the first day of school in any school fiscal year
8 but has not yet reached his sixteenth birthday,~~or-of-a~~
9 ~~child-who-has-not-completed-the-work-of--the--eighth--grade,~~
10 shall cause the child to attend the school in which he is
11 enrolled for the school term and each school day therein
12 prescribed by the trustees of the district unless:

13 (1) the child has been excused under one of the
14 conditions specified in section 75-6303;

15 (2) the child is absent because of illness, bereavement
16 or other reason prescribed by the policies of the trustees;
17 or

18 (3) the child has been suspended or expelled under the
19 provisions of section 75-6311."

-End-