

1
2 INTRODUCED BY *House* BILL NO. *725*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO IMPROVE THE
5 PROCEDURE FOR LOCATING MISSING CHILDREN BY REQUIRING A
6 SCHOOL DISTRICT TO REQUEST PROOF OF IDENTITY AND SCHOOL
7 RECORDS FOR A CHILD WHO ENROLLS IN A SCHOOL DISTRICT; AND
8 PROVIDING AN EFFECTIVE DATE."
9

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

11 Section 1. School enrollment procedures to aid
12 identification of missing children. (1) When a child enrolls
13 in a school district for the first time, the school district
14 shall:

15 (a) require that the child's parent, guardian, or
16 legal custodian present to the school, within 40 days of
17 enrollment, proof of identity of the child; and

18 (b) request the appropriate school records of the
19 child from the previous school attended by the child. The
20 school enrolling the child shall make the request within 40
21 days of enrollment of the child.

22 (2) If a child's parent, guardian, or legal custodian
23 does not present the proof of identity required in
24 subsection (1) within 40 days of enrollment or if the school
25 district does not receive the school records of the child

1 within 60 days of enrollment, the school shall notify the
2 missing children information program provided in 44-2-503 or
3 a local law enforcement authority of the fact that no proof
4 of identity has been presented for the child.

5 (3) A school district that receives a request for the
6 school records of a child shall transfer the records to the
7 requesting school as soon as possible.

8 (4) When a school district receives a notice from a
9 law enforcement authority, parent, guardian, or legal
10 custodian that a child who is or has been enrolled in that
11 school has been reported as a missing child, the school
12 district shall:

13 (a) flag in some manner the student records of the
14 child; and

15 (b) notify the missing children information program or
16 a local law enforcement authority if a request for the
17 school records is received from another school district.

18 (5) If it is necessary to conduct an investigation on
19 a missing child, school personnel may not inform the person
20 claiming custody of the child of the investigation while it
21 is being conducted.

22 (6) For the purposes of this section:

23 (a) "proof of identity" means a certified copy of a
24 birth certificate, a certified transcript or similar student
25 records from the previous school, or any documentary



1 evidence that a school district considers to be satisfactory
2 proof of identity; and

3 (b) "school district" means a school district as
4 defined in 20-6-101 or a nonpublic elementary school or high
5 school in the state.

6 Section 2. Codification instruction. Section 1 is
7 intended to be codified as an integral part of Title 44,
8 chapter 2, part 5, and the provisions of Title 44, chapter
9 2, part 5, apply to section 1.

10 Section 3. Effective date. This act is effective July
11 1, 1987.

-End-

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

1 HOUSE BILL NO. 725
 2 INTRODUCED BY STRIZICH
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