

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James H. Fagan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Providing that Parents or Legal Guardians be Held Responsible for the School Attendance of Children in Their Care.

PETITION OF:

NAME:

James H. Fagan

DISTRICT/ADDRESS:

3rd Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 416 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PROVIDING THAT PARENTS OR LEGAL GUARDIANS BE HELD RESPONSIBLE FOR THE SCHOOL ATTENDANCE OF CHILDREN IN THEIR CARE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 76 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by
2 striking section 2 and inserting in place thereof the following section:—
3 Section 2. Every person in control of a child described in section one shall cause him to attend school as therein
4 required, and, if he fails so to do for seven day sessions or fourteen half day sessions within any period of six
5 months, he shall, on complaint by a supervisor of attendance, be punished by a fine of not more than one thousand
6 dollars or by imprisonment for not more than thirty days, or both such fine and imprisonment. Notwithstanding the
7 provisions of section six A of chapter two hundred and seventy-nine, the court may order that a defendant convicted
8 under this section be imprisoned only on designated weekends, evenings or holidays. No physical or mental
9 condition capable of correction, or rendering the child a fit subject for special instruction at public charge in
10 institutions other than public day schools, shall avail as a defense unless it appears that the defendant has employed
11 all reasonable measures for the correction of the condition and the suitable instruction of the child. The juvenile
12 court shall have jurisdiction of complaints hereunder.