

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

John A. Hart, Jr.

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 for the denial of driver licenses to truants .

PETITION OF:

NAME:

John A. Hart, Jr.

DISTRICT/ADDRESS:

First Suffolk

- 12 (3) is enrolled in a study course in preparation for the test of general educational
13 development and satisfies relevant attendance requirements;
- 14 (4) is enrolled in a home education program that satisfies the requirements of all state
15 laws governing such courses;
- 16 (5) is enrolled in a postsecondary vocational program or a postsecondary adult vocational
17 program and satisfies relevant attendance requirements;
- 18 (6) is enrolled in a job training program and satisfies relevant attendance requirements;
- 19 (7) is enrolled in other educational activities approved by the school committee and
20 satisfies relevant attendance requirements;
- 21 (8) is disabled and medically unable to pursue any of the educational programs
22 enumerated in paragraphs (1) through (7) of this subsection; or
- 23 (9) has a parent who is totally disabled and said parent needs the minor to perform
24 services which prevent the minor from engaging in the educational activities enumerated
25 in paragraphs (1) to (7), inclusive.

26 An applicant shall provide written certification of compliance with the above or a waiver
27 of such requirements to the registrar. Such certification shall be obtained from the school
28 committee of his district. If the applicant is enrolled in or graduated from a non-public
29 school, the certification shall be obtained from the headmaster of such school. The school
30 committee or headmaster shall not certify non-compliance until and unless the school
31 administration has completed the following escalating activities to determine the cause
32 and to attempt the remediation of the applicant's failure to satisfy relevant attendance
33 requirements:—

- 34 (1) One or more meetings shall be held between a school attendance professional or a

35 school social worker, the applicant's parents, guardian or responsible adult as determined
36 by the school committee or headmaster and the applicant to report and to attempt to solve
37 the attendance problem. However, if the school attendance professional or school social
38 worker has documented the refusal of the parent or guardian to attend the meeting after a
39 reasonable period of time has elapsed, then this requirement shall be deemed to have
40 been met and the school administration shall proceed to the next escalating activity; and
41 (2) Educational counseling and evaluation shall be provided to the applicant to attempt to
42 identify the specific condition, if any, that is contributing to the attendance problem and
43 to determine whether curriculum changes would help solve the attendance problem. If
44 any changes are indicated, such changes shall be instituted. If counseling is proven
45 unsuccessful in remedying the attendance problem or if the minor fails to participate, this
46 requirement shall be deemed to have been met. Such curriculum changes may include
47 enrollment of the minor in a dropout prevention program meeting the specific educational
48 and behavioral needs of the applicant.

49 The burden of proof shall be on the applicant to prove he has complied with the
50 requirements of this section. The school committee or headmaster may comply with the
51 reporting requirements of this section by providing a certified copy of the applicant's
52 academic and attendance records. Nothing in this section shall be construed to require the
53 school committee or headmaster to compile or create any additional records not otherwise
54 maintained by them.

55 The school committee or headmaster may charge a fee not to exceed \$20 for providing
56 certification to the registrar that the applicant has complied with the requirements of this
57 section.

58 The school committee or headmaster may comply with the certification requirements of
59 this section by executing the following form to include the name of the applicant: — is
60 enrolled in a public or private school and satisfies relevant attendance and academic
61 requirements.

62 Said form shall be signed by a designated official of the school committee or by the
63 headmaster. The school committee or headmaster shall have the sole discretion to
64 determine compliance with the requirements of this section.

65 A school committee or headmaster shall grant a waiver of the requirements of this section
66 for any applicant under its jurisdiction for whom a personal or family hardship requires
67 that such applicant have a driver's license to provide for his personal or family
68 employment. The school committee or headmaster shall take into consideration the
69 recommendation of school officials, guidance counselors and academic advisors prior to
70 granting a waiver.