

1 HB217
2 181483-1
3 By Representatives Butler, Nordgren, Henry, Whorton (I) and
4 Hanes
5 RFD: Education Policy
6 First Read: 14-FEB-17

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8 SYNOPSIS: Under existing law, students enrolled in
9 public K-12 schools are granted a limited number of
10 excused absences each school year for sickness and
11 other extraordinary circumstances.

12 This bill would specify that for students
13 enrolled in grades 6 to 12, inclusive, absence from
14 school for the purpose of sounding Taps at a
15 military honors funeral held in the state is an
16 excused absence.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 To amend Section 16-28-13, Code of Alabama 1975,
23 relating to public K-12 school attendance; to specify that
24 absence from school for the purpose of sounding Taps at a
25 military honors funeral held in the state is an excused
26 absence for students in grades 6 to 12, inclusive.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 16-28-13 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§16-28-13.

4 "(a) No parent, guardian, or other person having
5 control or charge of any child shall be convicted for failure
6 to have ~~said~~ the child enrolled in school or for failure to
7 send a child to school or for failure to require ~~such~~ the
8 child to regularly attend ~~such~~ the school or tutor, or for
9 failure to compel ~~such~~ the child to properly conduct himself
10 or herself as a pupil, if ~~such~~ the parent, guardian, or other
11 person having control or charge of ~~such~~ the child can
12 establish to the reasonable satisfaction of the court any of
13 the following:

14 "(1) That the principal teacher in charge of ~~said~~
15 the school which ~~he~~ the child attends or should attend or the
16 tutor who instructs or should instruct ~~said~~ the child gave
17 permission for the child to be absent, ~~or.~~

18 "(2) That ~~such~~ the parent, guardian, or other person
19 is unable to provide necessary books and clothes in order that
20 the child may attend school in compliance with law, and that
21 ~~such~~ the parent, guardian, or other person had prior to the
22 opening of the school, or immediately after the beginning of
23 ~~such~~ the dependency, reported ~~such~~ the dependent condition to
24 the juvenile court of the county and offered to turn the child
25 over to the State Department of Human Resources as a dependent
26 child, ~~or.~~

1 "(3) That ~~such~~ the parent, guardian, or other person
2 has made a bona fide effort to control ~~such~~ the child and is
3 unable to do so, and files in court a written statement that
4 he or she is unable to control ~~such~~ the child; ~~or.~~

5 "(4) That there exists a good cause or valid excuse
6 for ~~such~~ the absence; ~~or.~~

7 "(5) That ~~such~~ the parent, guardian, or other person
8 has made a bona fide, diligent effort to secure the regular
9 attendance of ~~such~~ the child and that the absence was without
10 his or her knowledge, connivance, or consent.

11 "(b) A good cause or valid excuse, as used in this
12 section, exists when on account of sickness or other condition
13 attendance was impossible or entirely inadvisable or
14 impracticable or when, by virtue of the extraordinary
15 circumstances, the absence is generally recognized as
16 excusable.

17 "(c) A valid excuse exists for a child in any of
18 grades 6 to 12, inclusive, to be absent from school on a
19 particular day or days or at a particular time of day for the
20 purpose of sounding Taps at a military honors funeral held in
21 the state for a deceased veteran. The absence shall be treated
22 as an excused absence."

23 Section 2. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.