



**State of Tennessee**  
**PUBLIC CHAPTER NO. 304**

**SENATE BILL NO. 640**

**By Tracy**

Substituted for: House Bill No. 285

By Forgety, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 30, relative to remediation and truancy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3021, is amended by adding the following language as new subsection (c):

(c)(1) The principal of a school shall report promptly to the director of schools, or the director's designated representative, the name of any student required to attend a remedial program who has been absent from the remedial program five (5) times without adequate excuse. The principal shall make the report after the fifth unexcused absence whether the absences have been consecutive or not. The principal shall also report each successive accumulation of five (5) unexcused absences by the student.

(2) If a student's unexcused absences from remedial instruction are reported to the director of schools, or the director's representative, then the director, or the director's representative, shall proceed, pursuant to § 49-6-3007, in the same manner as required for unexcused absences from the regular school day. The appropriate judge having juvenile jurisdiction in the county shall deal with the case in such manner as the judge may determine to be in the best interest of the child, consistent with §§ 37-1-132, 37-1-168 and 37-1-169 and in the event the child is adjudicated to be unruly, the judge may assess a fine of up to fifty dollars (\$50.00) or five (5) hours of community service, in the discretion of the judge, against the parents or legal guardians of such student.

(3) This subsection (c) shall only apply to remedial programs that are offered at no cost to the parent; provided, that prior to the LEA requiring the student to attend the remedial program, the LEA commits to provide transportation to those students in the remedial program who qualify for transportation to and from school.

SECTION 2. Tennessee Code Annotated, Section 49-6-3009, is amended by adding the following language as new subsection (d):

(d) Parents, guardians or other persons having control of a child who is required to attend remedial instruction under § 49-6-3021 commit educational neglect as defined in subsection (a), if the child is truant from the instruction.

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it.

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PASSED: April 15, 2013

  
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RON RAMSEY  
SPEAKER OF THE SENATE

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 29<sup>th</sup> day of April 2013

  
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BILL HASLAM, GOVERNOR