

HOUSE No. 380

The Commonwealth of Massachusetts

In the Year Two Thousand 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,
2 is hereby amended by 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
4 school as therein required, and, if he fails so to do for seven day sessions or fourteen half day
5 sessions within any period of six months, he shall, on complaint by a supervisor of attendance,
6 be punished by a fine of not more than one thousand dollars or by imprisonment for not more
7 than thirty days, or both such fine and imprisonment. Notwithstanding the provisions of section
8 six A of chapter two hundred and seventy-nine, the court may order that a defendant convicted
9 under this section be imprisoned only on designated weekends, evenings or holidays. No
10 physical or mental condition capable of correction, or rendering the child a fit subject for special
11 instruction at public charge in institutions other than public day schools, shall avail as a defense
12 unless it appears that the defendant has employed all reasonable measures for the correction of
13 the condition and the suitable instruction of the child. The juvenile court shall have jurisdiction
14 of complaints hereunder.