

111TH CONGRESS  
1ST SESSION

# S. 1708

To establish a grant program to prevent truancy, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2009

Ms. KLOBUCHAR (for herself and Mrs. HAGAN) introduced the following bill;  
which was read twice and referred to the Committee on Health, Edu-  
cation, Labor, and Pensions

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## A BILL

To establish a grant program to prevent truancy, and for  
other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Student Attendance  
5 Success Act of 2009”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) LOCAL EDUCATIONAL AGENCY.—The term  
9 “local educational agency” has the meaning given

1 the term in section 9101 of the Elementary and Sec-  
 2 ondary Education Act of 1965 (20 U.S.C. 7801).

3 (2) SECRETARY.—The term “Secretary” means  
 4 the Secretary of Education.

5 (3) STATE EDUCATIONAL AGENCY.—The term  
 6 “State educational agency” has the meaning given  
 7 the term in section 9101 of the Elementary and Sec-  
 8 ondary Education Act of 1965 (20 U.S.C. 7801).

9 (4) TRUANCY.—The term “truancy” has the  
 10 meaning given the term in section 4112(c)(3)(E) of  
 11 the Elementary and Secondary Education Act of  
 12 1965 (20 U.S.C. 7112(c)(3)(E)).

13 **SEC. 3. TRUANCY PREVENTION DISCRETIONARY GRANT**  
 14 **PROGRAM.**

15 (a) GRANTS AUTHORIZED.—

16 (1) IN GENERAL.—The Secretary is authorized  
 17 to award grants to State educational agencies to en-  
 18 able the State educational agencies to award sub-  
 19 grants to local educational agencies within the State  
 20 to enable the local educational agencies to create  
 21 programmatic initiatives aimed at keeping students  
 22 in school, in order to improve academic achievement.

23 (2) DURATION.—

1           (A) IN GENERAL.—A State educational  
2           agency shall award subgrants under this section  
3           for a period of 3 years.

4           (B) RENEWAL.—A State educational agen-  
5           cy may award a subgrant to a local educational  
6           agency under this section for an additional 3  
7           year period if the report submitted by the local  
8           educational agency under subsection (d) for the  
9           preceding 3-year subgrant period demonstrates  
10          documented improvement in keeping students in  
11          school.

12          (3) AWARD BASIS.—A State educational agency  
13          shall award subgrants under this section on a com-  
14          petitive basis, taking into consideration the needs of  
15          local educational agencies serving schools with a his-  
16          tory of high levels of truancy among students in  
17          grades 5 through 9.

18          (b) APPLICATION.—

19               (1) STATE APPLICATION.—Each State edu-  
20               cational agency desiring a grant under this section  
21               shall submit an application to the Secretary at such  
22               time, in such manner, and accompanied by such in-  
23               formation as the Secretary may reasonably require.

24               (2) LOCAL APPLICATION.—Each local edu-  
25               cational agency desiring a subgrant under this sec-

1       tion shall submit an application to the State edu-  
2       cational agency at such time, in such manner, and  
3       accompanied by such information as the State edu-  
4       cational agency may reasonably require.

5               (3) LOCAL APPLICATION CONTENTS.—Each ap-  
6       plication submitted under paragraph (2) shall—

7                       (A) demonstrate a documented history of  
8       significant truancy in grades 5 through 9 in the  
9       schools served by the local educational agency;

10                      (B) describe the activities for which assist-  
11       ance under this section is sought; and

12                      (C) provide such additional assurances and  
13       information as the State educational agency de-  
14       termines to be essential to ensure compliance  
15       with the requirements of this section, including  
16       strategies that the local educational agency will  
17       use to address issues such as a supportive  
18       school climate and the extent to which students  
19       feel connected to the school and attached to not  
20       less than 1 caring adult at the school.

21               (c) USE OF FUNDS.—A local educational agency re-  
22       ceiving a subgrant under this section shall, to the extent  
23       practicable, use the subgrant funds to partner with a com-  
24       munity-based organization to create programmatic initia-  
25       tives aimed at keeping students in school.

1 (d) REPORTING REQUIREMENT.—Each local edu-  
2 cational agency receiving subgrant funds under this sec-  
3 tion shall submit a report to the State educational agency  
4 on the local educational agency’s performance of the ac-  
5 tivities described in subsection (c).

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
7 are authorized to be appropriated to carry out this section  
8 such sums as may be necessary for fiscal year 2010 and  
9 each of the 5 succeeding fiscal years.

10 **SEC. 4. NATIONAL RESOURCE CENTER FOR POSITIVE**  
11 **YOUTH DEVELOPMENT AND SCHOOL SUC-**  
12 **CESS.**

13 (a) CENTER.—From amounts appropriated under  
14 subsection (d), the Secretary shall award a grant to an  
15 eligible nonprofit organization to provide for the establish-  
16 ment and operation of a National Resource Center on  
17 Positive Youth Development and School Success (referred  
18 to in this section as the “Center”).

19 (b) ELIGIBLE ORGANIZATION.—In order to be eligi-  
20 ble to receive a grant under this section, an organization  
21 shall have a history of, and expertise in, carrying out the  
22 functions described in subsection (c).

23 (c) FUNCTIONS.—The Center established under sub-  
24 section (a) shall—

1           (1) provide evidence-based resources, publica-  
2           tions, and training to State educational agencies and  
3           local educational agencies on the positive relation-  
4           ships, opportunities, and skills that students need to  
5           succeed in school and avoid risky behavior, such as  
6           truancy;

7           (2) provide a free information service, using  
8           print, electronic media, and the Internet, for schools,  
9           principals, school officers, parent-teacher associa-  
10          tions, and community groups, relating to incor-  
11          porating developmental assets, supports and  
12          strengths into existing school curriculum, programs,  
13          and services; and

14          (3) conduct and publish research on the rela-  
15          tionship between a whole child approach to youth de-  
16          velopment and school success, including academic  
17          achievement and retention of the teaching force.

18          (d) **AUTHORIZATION OF APPROPRIATIONS.**—There  
19          are authorized to be appropriated to carry out this section  
20          such sums as may be necessary for fiscal year 2010 and  
21          each of the 5 succeeding fiscal years.

22          **SEC. 5. NATIONAL DEFINITION OF TRUANCY.**

23          Section 4112(c)(3) of the Elementary and Secondary  
24          Education Act of 1965 (20 U.S.C. 7112(c)(3)) is amend-  
25          ed—

1           (1) by redesignating subparagraph (E) as sub-  
2           paragraph (F); and

3           (2) by inserting after subparagraph (D) the fol-  
4           lowing:

5           “(E) TRUANCY RATE DATA COLLECTION.—

6                   “(i) IN GENERAL.—For the purposes  
7                   of collecting the information described in  
8                   subparagraph (B)(i), the term ‘truancy’  
9                   means each absence of a student who is re-  
10                  quired by State law to attend elementary  
11                  school or secondary school from such  
12                  school for the time period described in  
13                  clause (ii) without an excuse described in  
14                  clause (iii).

15                   “(ii) TIME PERIOD.—The time period  
16                  referred to in clause (i) is—

17                           “(I) 3 consecutive school days in  
18                           the case of a child enrolled in elemen-  
19                           tary school; and

20                           “(II) 3 or more class periods on  
21                           each of 3 consecutive school days in  
22                           the case of a child enrolled in middle  
23                           or secondary school.

24                   “(iii) EXCUSED ABSENCES.—An ex-  
25                  cuse referred to in clause (i) is—

1                   “(I) an excuse by a parent of the  
2                   student that is approved by the school  
3                   administrator in charge; or

4                   “(II) permission from a teacher  
5                   or administrator in charge.

6                   “(iv) LIMITATIONS.—An absence de-  
7                   scribed in clause (i) shall not be considered  
8                   truancy—

9                   “(I) unless the absence was re-  
10                  viewed by a school official and deter-  
11                  mined to be unexcused; or

12                  “(II) if the absence is caused by  
13                  a school decision to remove a student  
14                  from the school and deny the student  
15                  attendance for any length of time.”.

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