



SPONSOR: Rep. Dukes & Sen. Sokola  
Reps. Kenton, Jaques, Keeley; Sens. Hocker, Lavelle

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 17

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL ATTENDANCE.

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

1 Section 1. Amend § 2702, Title 14 of the Delaware Code by making deletions as shown by strikethrough and insertions as  
2 shown by underline as follows:

3 § 2702. Compulsory attendance requirements; evaluation of readiness.

4 (a) Except as otherwise provided, the following provisions are applicable to school attendance in this State:

5 (1) Every person in this State who has legal custody, guardianship of the person, or legal control of a child  
6 between 5 and ~~46~~ 17 years of age, including any person acting as a caregiver pursuant to the provisions of § 202(f) of  
7 this title, shall enroll the child in a public school in the school district of the person's residence.

8 (2) Every person who has legal custody, guardianship of the person, or legal control of a student, including  
9 any person acting as a caregiver pursuant to the provisions of § 202(f) of this title, who is enrolled in a public school of  
10 this State shall send the student to the school each day of the minimum school term and to any academic improvement  
11 activities required by § 153 of this title.

12 (3) Every student who is enrolled in a public school of this State shall attend the school each day of the  
13 minimum school term and any academic improvement activities required by § 153 of this title. A student who has been  
14 absent from school without a valid excuse for more than 3 school days in a school year is a truant. A truant and the  
15 parent of a truant are subject to the administrative procedures and court proceedings set out in subchapter II of this  
16 chapter.

17 Section 2. Amend § 2723, Title 14 of the Delaware Code by making deletions as shown by strikethrough and insertions as  
18 shown by underline as follows:

19 § 2723. Responsibility of police officers.

20 (a) Any pupil under the age of ~~46~~ 17 identified by a police officer as being off school property without official  
21 authorization may be returned to that pupil's home school.

22 (b) Any pupil under the age of ~~16~~ 17 identified by a police officer as being off school property without official  
23 authorization may be detained by the police for a period not to exceed 2 hours for the purpose of notification of parent or  
24 guardian. This detention may be within the police station but not in a criminally confined area.

#### SYNOPSIS

This bill increases the minimum age of required school attendance from 16 to the age of 17. The minimum age for truancy has also been increased accordingly.