

Chapter 8-11

TRUANCY

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Section 8-11-1 Purpose

The purpose of the City of Storm Lake Truancy ordinance is to promote the public health, safety, morals and general welfare of this City, and specifically to achieve the following purpose:

(A) Reinforce the primary authority and responsibility of parents and or guardians for their children.

(B) Recognize the peculiar vulnerability of minors.

(C) Recognize the inability of minors to make critical decisions in an informed, mature manner.

(D) Protect minors from improper influences and criminal activity by individuals and by gangs that prevail in public places during school hours.

(E) Assure that minors in Storm Lake achieve and maintain a high level of education.
(Ord. 04-O-98-99, Add, 02/15/1999)

Section 8-11-2 Definitions

(A) "MINOR" means any person under the age of 18 enrolled in a public, private or parochial school within the corporate limits of the City of Storm Lake Iowa.

(B) "TRUANT" means to be absent from school.
(Ord. 04-O-98-99, Add, 02/15/1999)

Section 8-11-3 Truancy prohibited

It shall be unlawful for any person under the age of 18 enrolled in a public, private or parochial school within the corporate limits of the City of Storm Lake to absent himself or herself from attendance at school unless he/she has parental permission based upon one of the exceptions listed in section 8-11-4. Emergency or unforeseen absences due to illness or other causes beyond the control of the person so absenting himself or herself from school without parental permission shall not constitute truancy if permission from the parent or guardian is submitted in writing to the proper school authorities within 24 hours after such absence.

(Ord. 04-O-98-99, Add, 02/15/1999)

Section 8-11-3(a) False Excuse Prohibited

It shall be an offense under this ordinance for a parent or guardian to knowingly submit to the proper school authorities a written excuse under section 8-11-3 that contains false information.

(Ord. 04-O-98-99, Add, 02/15/1999)

Section 8-11-4 Exceptions

Section 8-11-3 shall not apply in the following circumstances: The person has parental permission which shall include permission from a guardian, and shall be given for reasons only of personal illness, serious family illness, death in the family, necessary and lawful family support employment, religious convocation classes, Principal's permission and compelling family reasons. Section 8-11-3 shall not apply to persons age sixteen or older who are not enrolled in school or those sixteen or older who have chosen to lawfully withdraw from school.

(Ord. 04-O-98-99, Add, 02/15/1999)

Section 8-11-5 Responsibility of Parents and Guardians

It is unlawful for a parent or guardian to knowingly permit or to allow a minor to be absent from school, unless the minor's absence falls within one of the above exceptions.

(Ord. 04-O-98-99, Add, 02/15/1999)

Section 8-11-6 Enforcement Procedures

The Officer may take into custody without warrant any apparently truant minor and place the minor in the charge of the school principal, or principal's designee, of the Storm Lake School District, or alternatively the principal or principals designee of any non public or parochial school in which the minor has been enrolled by his/her parent or guardian. If a minor is taken into custody under section 8-11-3, the officer shall make every reasonable attempt to immediately notify the parent, guardian, or legal custodian of the child's location.

The officer shall have discretion as to whether to issue a citation to the minor and or parent, guardian or legal custodian.

(Ord. 04-O-98-99, Add, 02/15/1999)

Section 8-11-7 Penalties

(A) Parent, Guardian violation - Simple misdemeanor. Any parent or guardian who knowingly allows a minor to violate any of the provisions of this Section shall be guilty of a simple misdemeanor, and upon conviction, shall be punished by a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed thirty (30) days.

(B) Minor's violation - Simple misdemeanor. Upon conviction a minor shall be punished of a fine not to exceed five hundred dollars (\$500.00) or imprisoned not to exceed thirty (30) days.

(Ord. 13-O-2003-2004, Amended, 05/17/2004; Ord. 04-O-2003-2004, Amended, 10/06/2003; Ord. 04-O-98-99, Add, 02/15/1999)