

Georgia Compulsory School Attendance Law

Official Code of Georgia

20-2-690.1. Mandatory education for children between the ages six and sixteen.

- (a) Every parent, guardian, or other person residing within this state having control or charge of any child or children between their sixth and sixteenth birthdays shall enroll and send such child or children to a public school, a private school or a home study program that meets requirements for a public school, a private school or a home study program; and such child shall be responsible for enrolling in and attending a public school, a private school or a home study program under such penalty for noncompliance with this subsection as is provided in Chapter 11 of Title 15, unless the child's failure to enroll and attend is caused by the child's parent, guardian, or other person in which case the parent, guardian or other person alone shall be responsible; provided however, that tests and physical exams for military service and the National Guard and such other approved absences shall be excused absences. The requirements of this subsection shall apply to a child between his or her sixth and sixteenth birthdays who has been assigned by a local board of education or its delegate to attend an alternative public school program established by that local board of education, including an alternative public school program provided for in Code section 20-2-154.1, regardless of whether such child has been suspended or expelled from another public school program by that local board of education or its delegate, and to the parent, guardian or other person residing in this state who has control or charge of such child. Noting in this Code section shall be constructed to require a local board of education or its delegate to assign a child to attend an alternative public school program rather than suspending or expelling the child.
- (b) Any parent, guardian, or other person residing in this state who has control or charge of a child or children and who shall violate this Code section shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not less than \$25.00 and not greater than \$100.00, imprisonment not to exceed 30 days, community service, or any combination of such penalties, at the discretion of the court having jurisdiction. Each day's absence from school in violation of this part after the child's school system notifies the parent, guardian or other person who has control or charge of a child of five unexcused days of absence of a child shall constitute a separate offense. After two reasonable attempts to notify the parent, guardian, or other person who has control or charge of a child of five unexcused days of absence without response, the school system shall send a notice to such parent, guardian or other person by certified mail, return receipt requested. Public schools shall provide to the parent, guardian or other person having control or charge of each child enrolled in public school a written summary of possible consequences and penalties for failing to comply with compulsory attendance under this Code section for children and their parents, guardians or other person who has control or charge of children. The parent, guardian, or other person who has control or charge of a child or children shall sign a statement indicating receipt of such written statement of possible consequences and penalties, children who are age ten years and older by September 1 shall sign a statement indicating receipt of such written statement of possible consequences and penalties. After two reasonable attempts by the school to secure such signature or signatures, the school shall be considered to be in compliance with this subsection if it sends a copy of the statement, via certified mail, return receipt requested, to such parent, guardian, other person who has control or charge of a child, or children. Public schools shall retain signed copies of statements through the end of the school year.
- (c) Local school superintendents in the case of private schools or home study programs and visiting teachers [school social workers] and attendance officers in the case of public schools shall have the authority and it shall be their duty to file proceedings in court to enforce this subpart.