

House Bill 39 (COMMITTEE SUBSTITUTE)

By: Representatives Benton of the 31st, England of the 108th, McKillip of the 115th, and Walker of the 107th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-690.1 of the Official Code of Georgia Annotated, relating to
2 mandatory education for children between ages six and 16, so as to provide that notice by
3 local school systems to parents relating to unexcused absences may be made by United States
4 mail; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Code Section 20-2-690.1 of the Official Code of Georgia Annotated, relating to mandatory
8 education for children between ages six and 16, is amended by revising subsection (c) as
9 follows:

10 "(c) Any parent, guardian, or other person residing in this state who has control or charge
11 of a child or children and who ~~shall violate~~ violates this Code section shall be guilty of a
12 misdemeanor and, upon conviction thereof, shall be subject to a fine of not less than \$25.00
13 and not greater than \$100.00, imprisonment not to exceed 30 days, community service, or
14 any combination of such penalties, at the discretion of the court having jurisdiction. Each
15 day's absence from school in violation of this part after the child's school system notifies
16 the parent, guardian, or other person who has control or charge of a child of five unexcused
17 days of absence for a child shall constitute a separate offense. After two reasonable
18 attempts to notify the parent, guardian, or other person who has control or charge of a child
19 of five unexcused days of absence without response, the school system shall send a notice
20 to such parent, guardian, or other person by certified mail, return receipt requested, or
21 first-class mail. Public schools shall provide to the parent, guardian, or other person
22 having control or charge of each child enrolled in public school a written summary of
23 possible consequences and penalties for failing to comply with compulsory attendance
24 under this Code section for children and their parents, guardians, or other persons having
25 control or charge of children. The parent, guardian, or other person who has control or
26 charge of a child or children shall sign a statement indicating receipt of such written

27 statement of possible consequences and penalties; children who are age ten years or older
28 by September 1 shall sign a statement indicating receipt of such written statement of
29 possible consequences and penalties. After two reasonable attempts by the school to secure
30 such signature or signatures, the school shall be considered to be in compliance with this
31 subsection if it sends a copy of the statement, via certified mail, return receipt requested,
32 or first-class mail, to such parent, guardian, or other person who has control or charge of
33 a child; or children. Public schools shall retain signed copies of statements through the end
34 of the school year."

35 **SECTION 2.**

36 All laws and parts of laws in conflict with this Act are repealed.