

*The Attendance Protocol Committee has agreed upon the following procedures, which are intended to promote the reduction of truancy at the individual, family, and community levels. It is understood, however, that these procedures are general guidelines and extenuating circumstances may be considered as allowed by law for each student and family. It is also understood that each state and local agency involved must first adhere to its own policies, which were considered in the development of this protocol.*

# Rabun County Student Attendance Protocol

Revision date January 2023

---

Purpose and Organization	1-2
Georgia Compulsory Attendance Law	3
Rabun County Schools Attendance Procedures	4
Monitoring Attendance	4
Excused Absences	4
Unexcused Absences	4
Tardy	4
Checkout	4
Counting Present	5
Grades and Absences	5
Make-up Work	5
Student Withdrawal	5
Uniform Withdrawal Criteria	5
Attendance Support Team	6
Enrollment Requirements for Driver's License/Permit	6
School Procedures	
Primary, Elementary, and Middle Schools	7
High School	8-9
Attendance Information for Parents and Students	10
Attendance Support Team Documents	
Attendance Support Team Notes	11
Attendance Support Team Contract	12
Legal Prosecution	13-14
Community Support	15
Protocol Committee	15
School System	15
Department of Juvenile Justice	15
Law Enforcement	15
School Resource Officer	16
Department of Family and Children's Services	16
Health Department	16
Mental Health	16
Family Connections (Community Partnership)	16

## Purpose and Organization

The Official Code of Georgia Annotated, Section 20-2-690.2 establishes a Student Attendance Protocol Committee for each county in Georgia. The purpose of this Protocol Committee is to ensure coordination and cooperation among officials, agencies, and programs involved in compulsory attendance issues; to reduce the number of unexcused absences from school; and to increase the percentage of students present to take tests which are required to be administered under the laws of this state.

Each local board of education shall participate in, consider, and make publicly available, including but not limited to posting in a conspicuous location, its decision regarding the recommendations of the committee as provided in this Code section. Independent school systems may participate in the committee in the county where the system is located. Independent school systems whose geographic area encompasses more than one county may select one of such counties in which to participate. An independent school system that elects not to participate in the committee of the county where it is located shall request that the chief judge of the superior court of a county encompassed by its geographic area to establish an independent student attendance protocol committee in the same manner as established for the county school system.

The Student Attendance Protocol Committee shall be organized as provided in the Official Code of Georgia Annotated, Section 20-2-690.2. The Chief Judge of the Superior Court of each county shall establish a Student Attendance Protocol Committee for the county. Each of the following agencies, officials, or programs shall designate a representative(s) to serve on the committee:

- The Chief Judge of the Superior Court
- The Juvenile Court Judge or Judges of the county
- The District Attorney of the county
- The Solicitor-General of State Court, if the county has a State Court
- The Department of Juvenile Justice
- The School Superintendent, a Certified School Employee, a Certified School Social Worker, and a local School Board Member
- The Sheriff of the County
- The Chief of Police
- The County Board of Health
- The Department of Family and Children Services
- The County Mental Health Organization
- Family Connections (Community Partnership)
- The Court-Appointed Community Based Risk Reduction Program
- Additional members as necessary

Each committee shall, by June 1, 2005, adopt a written Student Attendance Protocol for its county school system, which shall be filed with the Department of Education. The protocol shall outline in detail the procedures to be used in identifying, reporting, investigating, and prosecuting cases of alleged violations of Code Section 20-2-690.1, relating to mandatory school attendance. The protocol shall outline in detail methods for determining the causes of failing to comply with compulsory attendance and appropriately addressing the issue with children and their parents or guardians. The protocol shall also include recommendations for policies relating to tardiness. The Department of Education shall provide model school attendance protocols if requested by the committee.

### **Purpose and Organization (continued)**

A copy of the protocol shall be furnished to each agency, official, or program within the county that has any responsibility in assisting children and parents or guardians in complying with Code Section 20-2-690.1. The committee shall write the summary of possible consequences and penalties for failing to comply with compulsory attendance under Code section 20-2-690.1 for children and their parents, guardians, or other persons who have control or charge of children for distribution by school in accordance with Code Section 20-2-690.1. The summary of possible consequences for children shall include possible dispositions for children in need of services and possible denial or suspension of driver's license for a child in accordance with Code Section 40-5-22.

The committee shall continue in existence after writing the Student Attendance Protocol. The Chief Judge of the Superior Court of each county shall ensure that the committee meets at least quarterly during the first year, and twice annually thereafter. The committee will evaluate compliance with the protocol, determine effectiveness of the protocol, and suggest appropriate modifications. Each local Board of Education shall report student attendance rates to the committee and the State Board of Education at the end of each school year, according to a schedule established by the Board of Education.

## **Georgia Compulsory Attendance Law**

Mandatory attendance is required for children between their sixth and sixteenth birthdays. Every parent, guardian, or other person residing within the state of Georgia having control or charge of any child during the ages of mandatory attendance shall be responsible for enrolling in a public school, private school, or home school program (O.C.G.A. § 20-2-690.1). All children enrolled for twenty school days or more in a public school prior to their sixth birthday shall become subject to the compulsory attendance law even though they have not attained six years of age (O.C.G.A § 20-2-150).

Any parent, guardian, or other person residing in this state who has control or charge of a child or children and who violate O.C.G.A. § 20-2-690.1 shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not less than \$25.00 and not greater than \$100.00, imprisonment not to exceed 30 days, community services, or any combination of such penalties, at the discretion of the court. Each day's absence from school in violation of this code after the school system has notified the parent, guardian, or other person who has control or charge of a child of five unexcused days of absence for a child shall constitute a separate offense.

Any child age six to sixteen found in violation of the Compulsory Attendance Law is subject to adjudication in Rabun County Juvenile Court as a child in need of services. Penalties for parents and students are listed below.

## Rabun County Schools Attendance Procedures

**Monitoring Attendance:** Each school will designate an individual to monitor student attendance using the Infinite Campus, Student Information System. Codes used in Infinite Campus will be consistent between schools to indicate excused absences, unexcused absences, tardiness, and check outs.

**Excused Absences:** For an absence to be excused, the following three (3) conditions must be met:

1. A student shall not be absent from school or from any class or other required school hours except for conditions specified below:
  - Personal illness or attendance in school that endangers a student's health or the health of others.
  - A serious illness or death in a student's immediate family necessitating absence from school.
  - A court order or an order by a governmental agency, including pre-induction physical examinations for service in the armed forces, mandating absence from school.
  - The observance of religious holidays, necessitating absence from school.
  - Conditions rendering attendance impossible or hazardous to student health or safety.
  - A student whose parent is in military service in the armed forces of the United States or the National Guard, and such parent has been called to duty for or is on leave from overseas deployment to a combat zone or combat support posting, shall be granted excused absences up to a maximum of five (5) school days per school year to visit with his or her parent prior to such parent's deployment or during such parent's leave.
  - The Board authorizes high school administrators to allow for eligible students a period not to exceed one day for registering to vote or voting in a public election.
2. Within three (3) days of return to school, students are required to present appropriate written medical documentation (doctor note) or other documentation (parent note or legal document) to the school for the purpose of validating that an absence(s) is excused.
3. At RCMS, RCES, and RCPS, a maximum of seven (7) days absent per school year may be excused with parent notes, provided they meet the above conditions. After seven (7) days of absences are validated as excused with a parent note, doctor's notes will be requested to validate additional excused absences. After a maximum of seven (7) days of absences are validated as excused with parent notes, all other absences (other than doctor's excused absences) will be recorded as unexcused. RCHS does not accept parent notes.

**Unexcused Absences:** All absences that are not validated as excused according to the above conditions will be considered unexcused.

**Tardy:** A student is tardy when he or she arrives at school, an assigned class, or a school activity after the designated time. A tardy may be excused at the Principal or designee's discretion or when a student arrives late to school with a valid written excuse.

**Checkout:** When a student leaves school prior to regular dismissal time. A note signed by a parent stating the reason and time for the checkout must be turned in to the front office before the beginning of the official school day. All notes must be verified and approved prior to the student leaving campus.

**Counting Present:** Students shall be counted present when they are:

1. Present for at least half of the instructional day.
2. Serving as pages of the Georgia General Assembly.
3. In attendance, in grades 7-12, by individual class.
4. Approved for interruption of instruction in grades 9-12.
5. Students in foster care shall be counted present when they attend court proceedings related to their foster care.
6. Receiving hospital / homebound services.

**Grades and Absences:** Final course grades of students shall not be penalized because of absences if the absences are justified and validated for excusable reasons and the make-up work for excused absences is completed satisfactorily.

**Make-Up Work:** It is the student's responsibility to make up any work missed during his/her absence. After returning to school, all arrangements to make up work must be completed within three (3) school days.

**Student Withdrawal:** For the purpose of accurately measuring the academic performance of students continuously enrolled in public schools, the Rabun County Board of Education shall withdraw students in accordance with the requirements of SBOE Rule 160-5-1-.28. If a student is an unemancipated minor who is older than the age of mandatory attendance as required in O.C.G.A. § 20-2-690.1(a) and who has not completed all requirements for a high school diploma wishes to withdraw from school, the student must have the written permission of his or her parent or legal guardian prior to withdrawing and a conference must be held with the school principal or designee pursuant to O.C.G.A. § 20-2-690.1(e).

**Uniform Withdrawal Criteria:** For the purpose of accurately measuring the academic performance of students continuously enrolled in public schools, the Rabun County Board of Education adopts the following uniform criteria for withdrawing students.

1. Appropriate school personnel are authorized to withdraw a student who:
  - a. Has missed more than 10 consecutive days of unexcused absences;
  - b. Is not subject to compulsory school attendance; and
  - c. Is not receiving instructional services through homebound instruction or instructional services required by the federal Individual with Disabilities Education Act (IDEA).
2. The Superintendent or the Superintendent's designee shall use his or her best efforts to notify the parent, guardian, or other person who has charge of a student if the school system plans to withdraw such a student who is younger than 18 years of age and is not subject to compulsory school attendance.
3. Appropriate school personnel are authorized to withdraw a student subject to compulsory attendance if the Superintendent or Superintendent's designee has determined the student is no longer a resident of the local school system or is enrolled in a private school or home study program.
4. Appropriate school personnel shall withdraw students retroactive to the first day of the consecutive absences.

**Attendance Support Team:** Each school will establish an Attendance Support Team (AST) which will be chaired by each school's Principal or designee and include as its members faculty having direct contact with the parents/guardians of or providing direct service to the specific student(s) to be discussed as well as the system Social Worker. Each school's AST will meet as needed and be responsible for all implementing and monitoring the school's policy to reduce tardy days, early check-outs, and truancy. Parents/guardians shall be invited to and encouraged to attend AST meetings.

The AST Chairperson will monitor attendance and determine if further action is needed. Additional meetings will be scheduled accordingly. If the parent/guardian cooperates with the AST contract and school recommendations, no complaint will be filed with Juvenile Court, even if the student continues to have absences. If the parent/guardian does not cooperate with the AST contract and the student has continued unexcused absences, a complaint will be filed. Failure to attend an AST Meeting by the parent/guardian and/or the student (as appropriate) may result in immediate referral to the Juvenile Court. A referral to the School Social Worker will be made when deemed appropriate by the AST committee and/or when the AST contract is broken.

**Enrollment Requirements for Driver's License/Permit (O.C.G.A. § 40-5-22):**

The Department of Driver Services (DDS) shall not issue an instruction permit or driver's license to a person who is younger than 18 years of age unless at the time application for an instruction permit or driver's license the minor presents acceptable proof that he or she has received a high school diploma, a general educational development (GED) diploma, a special diploma, or a certificate of high school completion or has terminated his or her secondary education and is enrolled in a postsecondary school, is pursuing a GED diploma, or the records of the DDS indicate that the applicant is enrolled in and not under suspension or expulsion from a public or private school or is enrolled in a home education program that satisfies the reporting requirements of all state laws governing such program.

**Rabun County Primary School, Rabun County Elementary School and  
Rabun County Middle School Procedures**

**RCPS, RCES, and RCMS School Procedures:** In addition to the following procedures, the Principal or designee may address students and/or parent(s)/guardian(s) by phone, mail, or in person, at any time school attendance is a concern. The attendance procedures are based on absences per school year.

**Please note that RCHS has a separate procedure on the following page.**

Unexcused Absences	Notification
Beginning of School Year OR Upon Enrollment	<p><b>Written Notice to Parents:</b> Parent will receive notice of the school attendance policy along with the consequences and penalties for failing to comply with Georgia attendance laws at the beginning of the school year.</p> <p><b>Written Notice to Students:</b> Students will receive notice of the school attendance policy along with the consequences and penalties for failing to comply with Georgia attendance laws at the beginning of the school year.</p> <p><i>After two attempts by the school to obtain signature of receipt, a copy will be sent via certified, return receipt, or first class mail. A copy of parent/guardian and student signature will be kept on file for the remainder of the school year.</i></p>
1+	<p><b>Phone Call:</b> Parent will receive a phone call from the school indicating the number of unexcused absences and reminding the parent of the importance of regular school attendance. The parent will be encouraged to meet with the son or daughter's school counselor to discuss attendance issues as appropriate.</p>
5	<p><b>Letter:</b> Parent will receive a letter from the school explaining the student has missed 5 unexcused days of school and reminding the parent of the importance of regular attendance.</p> <p><i>After two reasonable attempts to notify the parent/guardian, or other person who has control or charge of a child of the occurrence of five unexcused days of absences without response, the school system will send such notice via certified, return receipt requested, or first-class mail.</i></p>
7	<p><b>Meeting:</b> Parent will be contacted and an Attendance Support Team (AST) meeting will be scheduled to discuss supports that can be provided to facilitate improved attendance. Students 10 years and older may participate in the AST meetings, as deemed appropriate by the AST chairperson. An Attendance Contract will be developed by the AST Team.</p>
10	<p><b>Letter:</b> Parent will receive a letter from the school explaining the student has missed 10 unexcused days of school and reminding the parent of the importance of regular attendance.</p> <p><i>After two reasonable attempts to notify the parent/guardian, or other person who has control or charge of a child of the second occurrence of five unexcused days of absences without response, the school system will send such notice via certified, return receipt requested, or first-class mail.</i></p> <p><b>Certified Letter:</b> Parent will receive a certified letter from the school informing them a court referral is being made with the Juvenile Court of Rabun County once the 10<sup>th</sup> unexcused absence has occurred and been validated as unexcused.</p> <p><b>Juvenile Court Referral:</b> Parent will be notified by local law enforcement of the date and time to appear in court.</p>
15+ (and at each occurrence of 5 unexcused absences)	<p><b>Letter:</b> Parent will receive a letter from the school explaining the student has missed 15 days of school and reminding the parent of the importance of regular attendance.</p> <p><i>After two reasonable attempts to notify the parent/guardian, or other person who has control or charge of a child of the third occurrence of five unexcused days of absences without response, the school system will send such notice via certified, return receipt requested, or first-class mail.</i></p> <p><b>A letter will be sent at each additional occurrence of 5 unexcused absences.</b></p>
Tardies and Checkouts (total combined)	Notification
14	<p><b>Meeting:</b> Parent will be contacted and an Attendance Support Team (AST) meeting will be scheduled to discuss supports that can be provided to facilitate improved attendance. If the tardies and checkouts are excused with valid written excuses, the AST Chairperson will hold this meeting at his/her discretion. Students 10 years and older may participate in the AST meetings, as deemed appropriate by the AST chairperson. An Attendance Contract will be developed by the AST Team.</p>
15+	<p>Excessive tardiness and checkouts interrupt the school day and can negatively impact student learning. A referral may be made to Juvenile Court when all efforts have been exhausted by the Board of Education to reduce the number of the tardies and checkouts, particularly when excessive tardiness and checkouts occur in addition to excessive unexcused absences.</p>

## Rabun County High School Procedures

**RGHS School Procedures:** In addition to the following procedures, the Principal or designee may address students and/or parent(s)/guardian(s) by phone, mail, or in person, at any time school attendance is a concern. The attendance procedures are based on absences per school year.

Unexcused Absences	Notification
Beginning of School Year OR Upon Enrollment	<p><b>Written Notice to Parents:</b> Parent will receive notice of the school attendance policy along with the consequences and penalties for failing to comply with Georgia attendance laws at the beginning of the school year.</p> <p><b>Written Notice to Students:</b> Students will receive notice of the school attendance policy along with the consequences and penalties for failing to comply with Georgia attendance laws at the beginning of the school year.</p> <p><i>After two attempts by the school to obtain signature of receipt, a copy will be sent via certified, return receipt, or first class mail. A copy of parent/guardian and student signature will be kept on file for the remainder of the school year.</i></p>
1+	<p><b>Phone Call:</b> Parent will receive a phone call from the school indicating the number of unexcused absences and reminding the parent of the importance of regular school attendance. The parent will be encouraged to meet with the son or daughter's school counselor to discuss attendance issues as appropriate.</p>
5	<p><b>Contact or Letter:</b> Parent will receive a letter from the school explaining the student has missed 5 unexcused days of school and reminding the parent of the importance of regular attendance.</p> <p><i>After two reasonable attempts to notify the parent/guardian, or other person who has control or charge of a child of the occurrence of five unexcused days of absences without response, the school system will send such notice via certified, return receipt requested, or first-class mail.</i></p>
7	<p><b>Letter:</b> Parent will be contacted and an Attendance Support Team (AST) meeting will be scheduled to discuss supports that can be provided to facilitate improved attendance. Students 10 years and older may participate in the AST meetings, as deemed appropriate by the AST chairperson. An Attendance Contract will be developed by the AST Team.</p>
10	<p><b>Meeting:</b> Parent will be notified of a mandatory meeting with school administration in regards to consequences of their student's tenth unexcused absence.</p> <p><i>After two reasonable attempts to notify the parent/guardian, or other person who has control or charge of a child of the second occurrence of five unexcused days of absences without response, the school system will send such notice via certified, return receipt requested, or first-class mail.</i></p>

**RGHS Saturday School:** Saturday School provides an opportunity for students to make up unexcused absences along with serving as an alternative for students to serve disciplinary consequences without missing time in the classroom. Saturday School sessions will occur periodically throughout each semester. Students will be provided appropriate notification of any Saturday School assignment.

Saturday School hours are 8:30 am – 12:00 pm and students that are tardy will be turned away. Students will report directly to the ISS room upon arrival to Saturday School. Students are expected to be on task, awake, and working the entire time. Any student who does not follow these expectations will be dismissed and no time served will be awarded.

**RGHS Making Up Unexcused Absences:** Saturday School provides an opportunity for students to make up unexcused absences. Students can earn back unexcused absences as one Saturday School served earns one absence back. Saturday School sessions will occur periodically through each semester. Students must turn in a Saturday School form for each Saturday they want to attend. Forms are due to the ISS teacher for approval BEFORE the start of 3<sup>rd</sup> period on the Wednesday prior to attending Saturday School. Saturday School is voluntary, and no student will be permitted to attend if they have not signed up.

Saturday School begins promptly at 8:30 am and ends at 12:00 pm. Students that are tardy will be turned away. Students and parents must sign up for Saturday School by notifying the Principal or his/her designee by no later than noon on Friday before the scheduled Saturday School.

Students who need to submit attendance waiver letters at the end of the semester for excessive unexcused absences will not be allowed to submit a letter unless the student has attended a minimum of two Saturday School sessions. A Student with a passing grade and 7 or more unexcused absences in a semester class (10 or more for a year-long class) will earn an Administrative Failure (AF) and be required to retake the class to earn credit.

- There will be NO transportation provided.

Two no-shows for Saturday School will result in the loss of the privilege of attending Saturday School for the remainder of the semester.

**RGHS Student Attendance Appeals Process:** Students with 10 or more unexcused absences receiving an Administrative Failure may request an attendance appeal upon notification of the Administrative Failure by the principal or the principal's designee. Requests for an attendance appeal must be submitted in writing to the principal or the principal's designee no later than 7 calendar days from the issuance of an Administrative Failure. Students must meet the following criteria in order for their attendance appeal request to be considered:

- Student has attended a minimum of two (two) Saturday School sessions.
- Student provides the reason for each absence in order from the first to the last absence.
- Student provides a medical diagnosis and/or documentation provided by the licensed practitioner diagnosing and/or treating the condition. (This includes an M.D., D.O., PA-C, Psychiatrist, etc.).

The student appeal will be reviewed by a committee consisting of the school administration, the student's school counselor, and the student's classroom teacher.

## Attendance Information for Parents and Students

Mandatory attendance is required for children between their sixth and sixteenth birthdays. All children enrolled for twenty school days or more in a public school prior to their sixth birthday shall become subject to the compulsory attendance law even though they have not attained six years of age (O.C.G.A. § 20-2-150). Every parent, guardian, or other person residing within the state of Georgia having control or charge of any subject to mandatory attendance shall be responsible for enrolling in a public school, private school, or home school program. (O.C.G.A. § 20-2-690.1) Legal complaints may be filed with Juvenile Court against the parent(s) or guardian(s) and/or student for violating the Georgia Compulsory Attendance Law after all reasonable efforts to resolve and address absenteeism and/or tardiness have been exhausted by the Board of Education.

### **STUDENT CONSEQUENCES** include but not limited to:

- permitting the child to remain with their caregivers with or without conditions prescribed by the court (O.C.G.A. § 15-11-212);
- placing the child on probation;
- requiring community service;
- requiring the child to attend structured after school or evening program;
- requiring the child be supervised during the day (O.C.G.A. § 15-11-442);
- transferring temporary custody of the child;
- ordering the child and his or her parent, guardian, or legal custodian to participate in counseling;
- ordering the Department of Family and Children Services to create a case plan and ordering parent participation (O.C.G.A. § 15-11-212);
- requiring as a condition of probation that the child obtain a high school diploma or equivalent (O.C.G.A. § 15-11-601);
- continuing court involvement supervision for the time necessary for compliance, not to exceed two years (O.C.G.A. 15-11-443); and/or
- utilizing progressive discipline or sanctions as needed to protect and safeguard the best interest of the student's educational future.

### **PARENT(S) CONSEQUENCES** include, but are not limited to:

- using contempt powers to incarcerate the parent or guardian for up to 20 days (O.C.G.A. § 15-11-31);
- imposing a fine up to \$1000.00;
- requiring the child's parent, guardian, or legal custodian to participate in parenting classes (O.C.G.A. § 15-11-31); and/or
- requiring the child's parent, guardian, or legal custodian to enter into a contract or plan as part of the disposition of any charges against the child to provide supervision and control for the child (O.C.G.A. § 15-11-31)

Any violations or non-compliance by the parent(s) or guardian occurring beyond a contempt charge shall immediately be referred to the District Attorney's office by the Juvenile Court for prosecution of the parent(s) or guardian under O.C.G.A. 20-2-690.1. Any person found in violation of said Code shall be guilty of a misdemeanor and, upon conviction 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.

*Each day's absence from school in violation of this part after the child school system notified the parent, guardian, or other person who has control or charge of a child of five unexcused days of absences for a child shall constitute a separate offense.*

I have read or have had read to me and understand the **Information for Parents and Students** provided above. I understand that \_\_\_\_\_ has accumulated: \_\_\_\_\_ unexcused absences \_\_\_\_\_ excused absences \_\_\_\_\_ tardies/checkouts

Student's Name

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date



**Rabun County Schools  
Attendance Support Team Contract**

THE STUDENT SHALL (check all that apply):

- 1. Attend school and all assigned class periods every day.
- 2. Arrive at school and every class period on time.
- 3. Obey all school rules, dress codes, and behave appropriately at school.
- 4. Complete and return all homework as directed.
- 5. Other: \_\_\_\_\_

THE PARENT/GUARDIAN SHALL (check all that apply):

- 1. Get child to school every day on time.
- 2. Escort and check child in school daily at:\_\_\_\_\_.
- 3. Not remove child from school early without providing the school a valid excuse.
- 4. For all illness absences:
  - a. Provide school with written verification from doctor/medical advisor; or
  - b. Send child to school to be checked and released if ill.
- 5. For all absences: Contact the school to explain absence.
- 6. Ensure all homework is completed and returned to school promptly as directed.
- 7. Inform school nurse and principal about medication prescribed and taken by the child.
- 8. Attend all meetings scheduled by Rabun County Schools and Juvenile Court.
- 9. Other: \_\_\_\_\_

Within three (3) days of return to school, students are required to present appropriate written medical documentation (doctor note) or other documentation (parent note or legal document) to the school for the purpose of validating that an absence(s) is excused.

A maximum of seven (7) days absent per school year may be excused with parent notes, provided they meet the above conditions. After seven (7) days of absences are validated as excused with a parent note, doctor's notes will be requested to validate additional excused absences. After a maximum of seven (7) days of absences are validated as excused with parent notes, all other absences (other than doctor's excused absences) will be recorded as unexcused.

Any child age six to sixteen found in violation of the Compulsory Attendance Law is subject to adjudication in Rabun County Juvenile Court as a child in need of services. Penalties for parents and students are attached "Attendance Information for Parents and Students".

Violation of Attendance Contract may result in referral to the School Social Worker and an immediate Juvenile Court referral.

\_\_\_\_\_  
Student Signature/Date

\_\_\_\_\_  
Parent/Guardian Signature/Date

\_\_\_\_\_  
Committee Chair Signature/Date

\_\_\_\_\_  
Parent/Guardian Signature/Date

\_\_\_\_\_  
AST Member Signature/Date

## Legal Prosecution

Legal complaints may be filed against the parent/guardian and/or student for violating the Georgia Compulsory Attendance Law after all reasonable efforts to resolve and address absenteeism and/or tardiness have been exhausted by the Board of Education. Cases will be forwarded to the Juvenile Court for prosecution.

A juvenile complaint form shall be completed by the superintendent or his/her designee and forwarded to the Department of Juvenile Justice. The complaint form shall set forth plainly and with particularity the name, date of birth, and residence address of the child, the names and addresses of the parents, guardians, or legal custodian, the name of any public institution or agency having the responsibility or ability to supply services alleged to be needed by the child and whether any of the above matters are unknown (O.C.G.A. § 15-11-390). Attached to the complaint will be the most current report of attendance and discipline records, as well as documentation of all efforts that have been made by the Board of Education to resolve the issue(s) with the student, parent(s) or guardian.

A complaint filed by a school official must include information to show that the school has tried to resolve the problem through educational approaches and has sought to engage the child's parent, guardian, or legal custodian in solving the problem but has been unsuccessful. The school's complaint must also account for the child's eligibility for Individuals with Disabilities Education Act or Section 504 of the federal Rehabilitation Act of 1973. The school shall also review the appropriateness of the child's current Individualized Education Program (IEP) and placement and has made modifications where appropriate (O.C.G.A § 15-11-390).

Upon receipt of the juvenile complaint form, the Department of Juvenile Justice shall then file the complaint with the clerk of court and schedule the case for a preliminary hearing. The Board of Education shall receive notice of the upcoming cases scheduled in the form of a court calendar. Summons must be served on the child, the parents or legal custodian, Department of Family and Children's Services, and any other public agency or institution providing services or any other persons who are proper and necessary parties (O.C.G.A § 15-11-423).

The Court shall appoint an attorney for a child alleged to be a child in need of services. At or before the preliminary hearing, the student shall be advised of their right to legal representation and they Court shall give them an opportunity to hire counsel if they choose (O.C.G.A § 15-11-402). All parties, including counsel will receive notification of this hearing by proper service through the clerk of court.

The Court shall make every attempt to resolve the case the day of the preliminary hearing with specifically outlined conditions for child, parent(s) or guardian(s) to follow. The Court, after hearing and reviewing all of the evidence, documentation and testimony and taking into consideration the age of the child and circumstances surrounding the case, shall make every reasonable effort to appropriately outline very specific conditions for the student, parent(s) or guardian(s) to follow. If issues of dependency are disclosed, an immediate referral shall be made to the Department of Family and Children Services for investigation.

The Court may order the following dispositions in reference to the student, including, but not limited to: permitting the child to remain with their caregivers with or without conditions prescribed by the court (O.C.G.A. § 15-11-212); placing the child on probation; requiring community service; requiring the child to attend structured after school or evening program; requiring the child be supervised during the day (O.C.G.A. § 15-11-442); transferring temporary custody of the child; ordering the child and his or her parent, guardian, or legal custodian to participate in counseling; ordering the Department of Family and Children Services to create a case plan and ordering parent participation (O.C.G.A. § 15-11-212); requiring as a condition of probation that the child obtain a high school diploma or equivalent (O.C.G.A. § 15-11-601); suspending of driver's license privileges; continuing court involvement supervision for the

## Legal Prosecution (continued)

time necessary for compliance, not to exceed two years (O.C.G.A. 15-11-443); and/or utilizing progressive discipline or sanctions as needed to protect and safeguard the best interest of the student's educational future. The Court shall outline a specific time limit for which conditions are to be followed.

The Court may order the following dispositions in reference to the parent(s) or guardian, including, but not limited to: using contempt powers to incarcerate the parent or guardian for up to 20 days (O.C.G.A. § 15-11-31); imposing a fine up to \$1000.00; requiring the child's parent, guardian, or legal custodian to participate in parenting classes (O.C.G.A. § 15-11-31); and/or requiring the child's parent, guardian, or legal custodian to enter into a contract or plan as part of the disposition of any charges against the child to provide supervision and control for the child (O.C.G.A. § 15-11-31).

If the student, parent(s) or guardian successfully follow all Court ordered conditions for the period of time specified, the Court will consider a dismissal of the case and/or termination of the supervision.

It will be the responsibility of the Board of Education to monitor attendance and cooperation of the student, parent(s) or guardian. The Board of Education will provide all agencies involved a regular report of progress. The Department of Juvenile Justice will make any referrals ordered by the Court and monitor conditions outlined by the Court, in compliance with DJJ policy of standards of contact. Any non-compliance will be immediately reported by the Board of Education to the Department of Juvenile Justice or the Juvenile Court.

Upon receipt of any non-compliance, the Department of Juvenile Justice or the Juvenile Court will immediately schedule the case for review. All parties will be notified of the review by proper service of clerk of court.

If the non-compliance is confirmed by the Court as a result of the student's action(s), the Court may order any of the previously stated dispositions that would assist in establishing compliance of conditions. The Court, while considering all factors relevant to the student and case, shall continue involvement or supervision for the shortest time necessary to accomplish the purposes of the order and for not more than two years (O.C.G.A. § 15-11-443). The Court shall continue utilizing progressive discipline or sanctions as needed to protect and safeguard the best interest of the student's educational future.

If the non-compliance is confirmed by the Court as a result of the parent(s) or guardian's actions, the court may punish the person(s) for being in contempt of court for willfully disobeying an order of the court. The court may impose any or all of the following sanctions: Requiring the person to make restitution in an amount not to exceed \$2500.00 for any damage caused by the child's wrongful act; impose a fine up to \$1000.00; reimbursement to the state for the cost of detention, treatment or rehabilitation of the child, require the parent or guardian to perform community service or require the person to enter a contract or plan as a part of the disposition of any charges against the child. The Court may also use civil contempt powers to incarcerate the parent or guardian.

Any violations or non-compliance by the parent(s) or guardian occurring beyond a contempt charge shall immediately be referred to the District Attorney's office by the Juvenile Court for prosecution of the parent(s) or guardian under O.C.G.A. 20-2-690.1.

The office of the District Attorney shall be provided with accurate and complete documentation of every action and proceeding prior to the referral. Every agency including but not limited to: Board of Education, Department of Juvenile Justice, Department of Family and Children Services, Mental Health, shall be available to the District Attorney's office for interviews, questions and/or testimony needed to adequately prepare the case for prosecution.

## Community Support

**Protocol Committee Responsibilities:** The committee shall elect a chairperson and may elect other officers if they so choose. The committee is responsible for ensuring coordination and cooperation among officials, agencies, and programs involved in compulsory attendance issues, to reduce the number of unexcused absences from school, and to increase the percentage of students present to take tests which are required to be administered under the laws of the state.

By June 1, 2005 each student protocol committee shall produce and adopt a student attendance protocol for its Local County or school system:

The attendance protocol must specify the procedures for identifying, reporting, investigating, and prosecuting violations of the states mandatory school attendance law (O.C.G.A. 20-2-690.1). The protocol must also specify local methods used to determine the causes and solutions for student truancy, and the local attendance protocol will include recommendations for policies related to student tardiness.

A copy of the local protocol shall be provided to each agency, official, or program within the county that has any responsibility in assisting children and their parents or guardians with respect to student attendance.

**School System:** State Law requires that the School Superintendent or designee shall fully and actively assist in the planning, implementation, and evaluation activities of the student attendance protocol committee.

The Board of Education shall consider and publicly announce its decisions regarding the protocol committee recommendations for student attendance. Each local Board of Education shall report annual student attendance rates to the student attendance protocol committee and the State Board of Education by September 1 following each school year.

The School Social Worker will work with students, parents, school administrators, faculty, and other community agencies to address attendance issues. The School Social Worker will make efforts to increase parental involvement through meeting with parents, conducting home visits, and/or through written/phone correspondence. As a liaison to the court system, the School Social Worker will file truancy complaints with the court and attend truancy court hearings.

**Department of Juvenile Justice:** The Department of Juvenile Justice will process complaints as directed by the Juvenile Court. Upon disposition of the Court, the Department of Juvenile Justice will make necessary referrals ordered by the Court and will supervise any conditions outlined by the Court in compliance with DJJ policy.

**Law Enforcement:** Law enforcement will approach school age children who are away from school during school hours to inquire as to the reasons for their absence. Pursuant to O.C.G.A. 20-2-698, peace officers, during school hours, may assume temporary custody of any child subject to the compulsory school attendance (age 6-16) who is absent from school without a written valid excuse from school officials or from the parent/guardian in charge of the home study program. Truant students may be transport to school and students who are home-schooled may be transported to their home if they are in public unsupervised during school hours.

**School Resource Officer:** Each school in Rabun County has access to, either on-site or within minimal driving distance, an employee of the Rabun County Sheriff's Department. The School Resource Officer is a certified peace officer who is involved in school improvement. As appropriate, the

School Resource Officer will attend Attendance Support Team Meetings and conduct home visits when students are reported as truant.

**Department of Family and Children Services:** Rabun County Department of Family and Children Services (DFCS) will accept and consider information related to school attendance, behavior, and performance in reports and investigations of other suspected abuse and/or neglect. DFCS will accept referrals on educational neglect concerning students enrolled in Rabun County School System and in home-school programs. School attendance will be addressed in departmental case plans and safety plans. DFCS will ensure school enrollment and regular attendance for students in emergency shelter care, temporary guardianship, or foster care arranged by the Department. A representative from DFCS will attend court proceedings, when necessary, for cases involving truancy and/or complaints against parents related to mandatory school attendance.

**Rabun County Health Department:** Rabun County Health Department will serve as a consultant regarding health issues identified by the Attendance Support Team and the School System. The Health Department will work in conjunction with School Staff to promote general health and safety for students, school staff, and the community.

**Mental Health:** The Attendance Support Team will consult with the county mental health organization as needed.

**Family Connections (Community Partnership):** Community Partnership, a Family Connection site in Rabun County, will support the school system in the development, implementation, and evaluation of programs that reinforce school attendance. As a partner in education, Community Partnership will provide support for perfect attendance programs and will provide training and recruitment services for the mentoring program. Community Partnership will provide resources for families as specific needs are identified by the Attendance Support Team and/or the school system.