

LOWNDES COUNTY JUVENILE COURT
PROTOCOL AGREEMENT FOR TRUANCY IN SCHOOLS

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This agreement is made and entered into by and between the Lowndes County Attendance Protocol Committee, Lowndes County Juvenile Court ("Juvenile Court"), by and through James Council, Judge thereof; the Lowndes County School System ("school district"), by and through its appropriate designee; and Valdosta City School System ("school district"), by and through its appropriate designee, which protocol shall become effective at the commencement of the 2014-2015 school year and shall remain in effect until otherwise altered, modified or cancelled in writing. This protocol replaces any and all protocols previously entered into heretofore.

WHEREAS, it appears to the undersigned that the absences and late arrivals of students on the school campuses is a major problem in both school systems; and

WHEREAS, the laws of the State of Georgia authorize the protocol to outline in detail methods for determining the cause of failing to comply with compulsory attendance and appropriately addressing the issue with children and their parents or guardians; and

WHEREAS, the Juvenile Court of Lowndes County, Georgia has jurisdiction over violations of the compulsory attendance law committed by any child under the age of 16; and

WHEREAS, the State Court of Lowndes County, Georgia has jurisdiction over violations of the compulsory attendance law committed by parents or guardians of students, and

WHEREAS, the parties hereto desire to minimize the occasions of failure to comply with the compulsory attendance laws; and

WHEREAS, it also appears to the undersigned that a uniform method of procedures dealing with said failure to comply with the compulsory school attendance law prior to filing complaints with the Juvenile Court and State Court is necessary.

NOW THEREFORE, the undersigned parties do hereby agree as follows:

The below procedures will be followed by the school districts in addressing cases of truancy. Prior to initiating any complaints with the Juvenile Court, any other court, the Solicitor General for prosecution of parents in State Court, or any other government agency who may be involved or associated with truancy matters, both school districts will appoint a designated district employee ("records custodian") to collect and maintain any and all documentary evidence that may be required by state law or used in court proceedings. This individual may be the district's Truancy Officer. At the district's option, there may be a separate records custodian for each school within the district.

Prior to Filing a Complaint with the Juvenile Court

In cases of unexcused absences:

- 1) At 3 unexcused absences:
 - a. A letter will be sent home. This must be a school district approved letter to the student's parent or guardian regarding the student's unexcused absences.
 - b. This letter will require the parent or guardian to contact the school's designee regarding the student's unexcused absences.
 - c. The school district's social worker or their designee may also make contact with the student and the parent or guardian at home.
- 2) At 5 unexcused absences:
 - a. A conference will be held to determine whether a Truancy Intervention is needed. The records custodian shall maintain documentation of this conference.
 - b. The school district's social worker or their designee may also make contact or visit with the student and the parent or guardian at home.
 - c. A referral may be made to the Truancy Intervention Program ("TIP").
 - d. A referral may be made to the CHINS committee. Failure to comply with requirements imposed by the committee may result in a referral to Juvenile Court for a truancy hearing.
- 3) At 7 unexcused absences:
 - a. A referral may be made to the Truancy Intervention Program ("TIP").
- 4) At 8 unexcused absences:
 - a. A referral may be made to the CHINS committee and a possible Department of Family & Children's Services referral will be made for middle and high school students. An automatic DFCS referral will be made for all elementary school students. Failure to comply with requirements imposed by the CHINS committee may result in a referral to Juvenile Court for a truancy hearing.
- 5) At 10 or more unexcused absences:
 - a. The procedures outlined in item #4 may be repeated.
 - b. For students who hold Georgia learners' permits or driver's licenses, the school district may request that the Georgia Department of Driver Services suspend that permit or license as provided in O.C.G.A. §40-5-22(a)(2). This suspension will remain in effect for one year or until the student reaches the age of 18, whichever comes first. The undersigned parties understand that this code section guarantees a student whose permit or license is suspended the right to an administrative hearing in accordance with the Georgia Administrative Procedure Act. Notice of the suspension and information on the process for requesting an administrative hearing will be sent by DDS. Any requested hearings will be conducted by DDS.

In cases of excused absences:

- 1) At 7 excused absences:
 - a. A letter will be sent home. This must be a school district approved letter to the student's parent or guardian regarding the student's excused absences.
 - b. This letter will require the parent or guardian to contact the school's designee regarding the student's excused absences.
 - c. The school district's social worker or their designee may also make contact with the student and the parent or guardian at home.
- 2) At 10 excused absences:
 - a. A conference will be held with the student's parent or guardian and a school administrator (or the administrator's designee) regarding the student's excused absences and to determine whether a Truancy Intervention is needed. The records custodian shall maintain documentation of this conference.
 - b. If a Truancy Intervention is needed, a referral will be made to the LODAC TIP program.
- 3) At 15 excused absences:
 - a. Unless extenuating medical conditions exist, a referral will be made to the TIP program.

In cases of excessive tardies or early checkouts:

- 1) At 10 tardies/early checkouts: The parent or guardian will be contacted and possibly visited by the district's Truancy Officer.
- 2) At 15 tardies/early checkouts: A meeting with the student, the student's parent or guardian, and a school administrator (or the administrator's designee) will be held.
- 3) At 16 tardies/early checkouts: A referral to the TIP program will be made, unless extenuating medical conditions exist.

In all cases where a referral to the Lowndes Drug Action Council Truancy Intervention Program ("LODAC" or "TIP") is needed, the following procedures shall apply in addition to those listed elsewhere in this agreement:

- 1) If the TIP program is completed and the student continues to be absent from school, the matter may be referred to the CHINS committee. Additional absences may result in referral of the parent or guardian to the Solicitor General for prosecution of a violation of the compulsory attendance law in State Court.
- 2) If the TIP program is not completed, the matter may be referred to DFCS for further action along with filing of a Juvenile Court truancy complaint. Referral to DFCS shall be automatic for elementary school students
- 3) If the parent or guardian has previously attended TIP, a second referral to the program will be forfeited and a State Court criminal prosecution may be initiated.

Procedures for Initiating a Complaint and Proceeding With Juvenile Court

These procedures apply only to proceedings against a student in Juvenile Court for violations of this attendance protocol and/or the state compulsory attendance law.

- 1) The school district's attorney shall file a Juvenile Court CHINS complaint alleging a violation of the attendance protocol.
- 2) After said complaint is filed, the school district's attorney shall serve the complaint and notice of hearing upon the affected parent or guardian, and upon the child or children and upon the court appointed attorney for the child or children. The Juvenile Court will conduct a truancy hearing and enter its order.

Procedures for Initiating a Criminal Prosecution of a Parent or Guardian

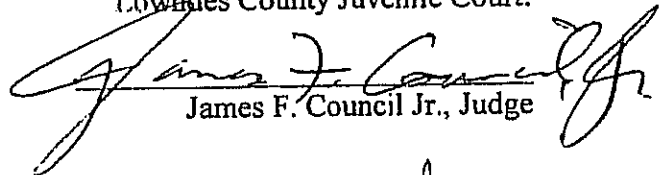
After a student has eight or more un-excused absences, the school district may refer a parent to the Solicitor General for prosecution under the Georgia compulsory school attendance statute if it is suspected that the parent or guardian is the cause of the student's absence. A state certified law enforcement officer must apply for a warrant against the parent or guardian.

Penalty

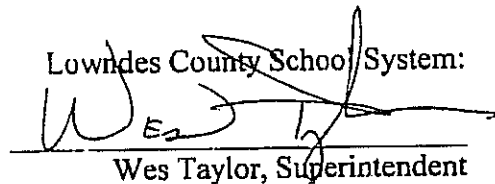
Each day of an un-excused absence over this maximum limit of 8 is a separate offense, and the parent or guardian may be punishable by a fine of not more than \$100, 30 days confinement in jail, community service or any combination thereof, for each offense.

So agreed, this 26th day of August, 2014.

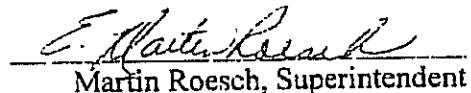
Lowndes County Juvenile Court:


James F. Council Jr., Judge

Lowndes County School System:


Wes Taylor, Superintendent

Valdosta City School System:


Martin Roesch, Superintendent