

Alabama

○ **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Ala. Code 1975 §§ 16-28-1 – 16-28-45

GENERAL SUMMARY: In general, every child between the ages of 6 and 17 years must regularly attend school for the entire length of the school term, and the parent or person standing in the place of the parent is liable for the child's non-attendance. Among a limited number of exceptions, the compulsory attendance law exempts from attending public school any child who is legally and regularly employed under the state child labor law.

PROVISIONS APPLICABLE TO AGRICULTURE: Provided they comply with the hours and time-of-day restrictions prescribed in the state child labor law, children of any age may be employed in agricultural services and are thus **not subject** to the compulsory school attendance law.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Local boards of education and the juvenile court system are responsible for assuring compliance with the compulsory attendance law.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Alaska

● **COMPULSORY EDUCATION LAW**

STATUTORY CITATION: Alaska Stat. §§ 14.30.010 – 14.30.047

GENERAL SUMMARY: With a few specific exceptions, every child between 7 and 16 years of age must attend public school (or its prescribed equivalent) during the school term. Every parent, or person standing in the place of the parent, having responsibility for or control of a child between the ages of 7 and 16 must ensure that the child is not absent without valid reason.

PROVISIONS APPLICABLE TO AGRICULTURE: Unless excused under one or more of the law's narrow exemptions, the children of agricultural workers are subject to these provisions to the same extent as other school-age youth.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory education law is enforced by the state district courts, on complaints filed by public school districts or private school administrators. A violation of these provisions is a misdemeanor, conviction on which may lead to a separate fine for each 5 days of unlawful absence.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Arizona

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Ariz. Rev. Stat. §§ 15-801 – 15-808

GENERAL SUMMARY: The state compulsory school attendance law generally requires every person who has custody of a child between the ages of 6 and 16 to send the child to a public school (or an allowable equivalent) for the full time school is in session in the school district in which the child resides. Exceptions to this requirement include, among others, cases where the child is over 14 years of age and is employed at a lawful wage-earning occupation with the consent of the person who has custody of the child.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance provisions apply to parents or guardians of all 6- to 16-year-old minors, unless covered by one or more of the law's specific exemptions, none of which singles out agriculture for special treatment.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by the local school districts, normally through attendance officers employed by their respective school boards. Attendance officers are authorized to enter any workplace where children may be employed and to make arrests for violations. Non-compliance with the compulsory attendance law is a misdemeanor.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Arkansas

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Ark. Code §§ 6-18-201 – 6-18-231

GENERAL SUMMARY: With few exceptions, the state compulsory school attendance law requires every parent or other person residing in Arkansas and having custody of a child 5 through 17 years of age (both inclusive) to send such child to a public, private, parochial or home school.

PROVISIONS APPLICABLE TO AGRICULTURE: This law makes no exceptions categorically applicable to agricultural workers or their children. Farmworkers are obligated to assure their children's attendance at school, and children customarily employed in agriculture are not excused from school attendance by virtue of their employment.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by local school districts. Public school districts may enter into cooperative agreements with local law enforcement agencies to help improve school attendance, and law enforcement officers may stop and detain any unsupervised school-age child who is off school premises during school hours and request documentation excusing the child's absence from school.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

California

● **COMPULSORY EDUCATION LAW**

STATUTORY CITATION: Cal. Educ. Code §§ 48200–48361

GENERAL SUMMARY: The Compulsory Education Law provides that every person between the ages of 6 and 18 not otherwise exempted must attend a public school (or a private school which meets state standards) for the full time designated as the length of the school day by the governing board of the school district in which the child's parent or legal guardian resides. Among other fairly narrow exceptions, if a minor withdraws from school at age 16, he or she must be enrolled in a continuation education program or be exempted from attendance by passing a high-school proficiency exam. Every parent, guardian or other person having control or charge of a child of compulsory school age is responsible for assuring the child's school attendance.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance requirement applies to farmworkers and their children to the same extent as to non-agricultural workers and families.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by the local school districts and local peace officers. School attendance supervisors, school administrators and police officers are authorized to take into temporary custody, during school hours, any child subject to the Compulsory Education Law who is found away from home and absent from school without valid excuse. Parents of habitually truant children are subject to criminal prosecution.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – The compulsory education law also authorizes the establishment of School Attendance Review Boards at the county and local levels, to enhance the enforcement of compulsory education and divert students with school attendance or behavior problems from the juvenile justice system until all available resources have been exhausted. SARBs have authority, when necessary, to refer students and their parents or guardians to court.

Colorado

● SCHOOL ATTENDANCE LAW OF 1963

STATUTORY CITATION: Colo. Rev. Stat. §§ 22-33-101 – 22-33-111

GENERAL SUMMARY: With few exceptions, the School Attendance Law requires the parent or other custodian of a child between the ages of 6 and 16, inclusive, to see that the child attends a public school (or receives approved comparable academic instruction) for the full school year prescribed by state law.

PROVISIONS APPLICABLE TO AGRICULTURE: Farmworker parents or guardians and the children in their custody are subject to the compulsory attendance law to the same extent as other parents and children.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The School Attendance Law is enforced by the elected board of education in each local school district, through attendance officers employed for that purpose. District attendance officers are responsible for investigating the causes of non-attendance, reporting their findings to the respective local board of education, and counseling with students and parents. Only after the district has attempted other options for addressing truancy, court action may be initiated against the parent and child involved to compel attendance. Failure to comply can subject a parent to a jail term.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Colorado Department of Education, Denver, Colorado 80203 (303-866-6600)*. The Department may advise the individual school districts concerning enforcement of compulsory school attendance.

Connecticut

● SCHOOL ATTENDANCE AND CHILD EMPLOYMENT LAW

STATUTORY CITATION: Conn. Gen. Stat. §§ 10-184 – 10-202f

GENERAL SUMMARY: With few exceptions, each parent or other person having control of a child who is at least 5 years of age but not yet 18 must assure the child's regular attendance at a public day school during the hours and terms that the local public schools are in session, unless the parent or guardian can show that the child is receiving equivalent instruction elsewhere. This law makes no distinctions between farmworkers and non-farmworkers, or between agricultural and non-agricultural employers.

SPECIFIC TERMS AND CONDITIONS

EMPLOYMENT RESTRICTIONS — Employers are prohibited from employing a child under 14 years of age during the hours when the school the child should be attending is in session.

AGE CERTIFICATES — In the following specific cases, employers wishing to employ anyone under 18 years of age must obtain a certificate from the local school district proving that the minor is:

16 Years of Age or Older — For work in the manufacturing, mechanical or theatrical industry, or in a restaurant, bowling alley, or shoeshine or barber shop.

15 Years of Age or Older — For work in a retail store or other mercantile establishment.

14 Years of Age or Older — For work at a golf course.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The school attendance law is enforced by local boards of education, primarily through attendance officers appointed for that purpose. Attendance officers are authorized to investigate absences and irregular attendance, and to pursue court prosecution of employers who permit children to work in violation of these provisions, as well as prosecution of parents and guardians who fail to assure regular school attendance by children in their custody.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Delaware

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Del. Code Title 14, §§ 2701–2735

GENERAL SUMMARY: Every person in the state having control of a child between the ages of 5 and 16 is generally required to send the child to a free public school in the district where the child's parents reside, for each day of the minimum school term. Compulsory attendance at a public school is not required if it can be demonstrated to the satisfaction of state and local education authorities that a child is elsewhere receiving regular and thorough instruction in the subjects prescribed for the public schools in Delaware, in a manner suitable to children of the same age and stage of development.

PROVISIONS APPLICABLE TO AGRICULTURE: The school attendance law applies to children and their parents or guardians without regard to occupational status.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by local school superintendents, local law enforcement officers, and justices of the peace. Any child under the age of 16 identified by a police officer as being off school property without official authorization may be returned to his or her home school, or detained in police custody for up to 2 hours pending notification of a parent or guardian. If a student is absent from school without a valid excuse for more than one day, the campus principal may take such action as he or she deems appropriate; after a student's 20th day of unexcused absence during the school year, the principal is generally required to file a charge against the parent. Parents or guardians of children who are truant may be prosecuted in justice court and fined or imprisoned upon conviction.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Florida

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Fla. Stat. §§ 1003.21–1003.29

GENERAL SUMMARY: The compulsory school attendance law provides that, with certain exceptions, all children who have reached the age of 6 years but are not yet 16 are required to attend school regularly during the entire school term. The law makes the parent of a child of mandatory school age responsible for the child's attendance.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance law applies to all children in the affected age group, and to their parents or guardians, without respect to occupational classification.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by local school superintendents or their designees, who are responsible for maintaining pupil accounting records, investigating non-enrollment and unexcused absences, and giving notice to parents or guardians in cases of unexplained non-attendance or absence. School officials are authorized to enter and inspect any establishment where minors may be employed, for the purpose of investigating possible violations of the compulsory attendance law. In each instance of non-enrollment or non-attendance on the part of a child who is required to attend school, when no valid reason for such non-enrollment or absence is found and after written notice to the parent, the superintendent must institute criminal prosecution against the child's parent.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Child Labor Program, Division of Regulation, Department of Business and Professional Regulation, Tallahassee, Florida 32399 (850-488-3131)*. School superintendents or their designees are required to report to this agency all apparent violations of the Child Labor Law that come to their attention in the course of enforcing compulsory school attendance.

Georgia

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: Ga. Code §§ 20-2-690 – 20-2-703

GENERAL SUMMARY: With few exceptions, every parent, guardian or other resident of the state who has control or charge of any child between the ages of 6 and 16 must enroll and send the child to a public school, a private school, or a home study program that meets state-prescribed educational requirements.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance law applies to children and their parents or guardians without regard to occupational status or classification.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – This law is enforced by county and independent school system boards of education and their respective superintendents, in cooperation with local peace officers. Any parent, guardian or other person who has control of a child and who fails to assure the child's school attendance as required by law is guilty of a misdemeanor and, upon conviction, is subject to a fine, imprisonment or both.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Hawaii

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Haw. Rev. Stat. §§ 302A-1132 – 302A-1137

GENERAL SUMMARY: In general, all children in Hawaii who, on or before July 31 of any school year, will have reached the age of 5 or older, and will not have attained the age of 18 by January 1 of that school year, are required to attend either a public or private school during that school year. Any parent, guardian or other person having responsibility for or care of a child whose attendance at school is mandatory must send the child to a public or private school. Among other exceptions, a child who has reached the age of 15 and is suitably employed may be excused from school attendance by the school superintendent or by a family court judge.

PROVISIONS APPLICABLE TO AGRICULTURE: The requirement to attend school extends to all children in the affected age group, unless otherwise excused, and the corresponding duty of parents and guardians to ensure their children's attendance applies regardless of occupational classification.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Hawaii State Department of Education, Honolulu, Hawaii 96813 (808-305-9787). Officials of the Department may present a petition, complaint or citation in family court charging a child with persistent absence. In response, the judge of such court may summon the child and the child's parent or guardian before the court, and if evidence confirms that the person responsible for the child has not used proper diligence to enforce the child's regular attendance at school, the responsible party is guilty of a petty misdemeanor. Subject to the plans and policies of the Department, local police officers may also enforce these provisions.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – None.

Idaho

● SCHOOL ATTENDANCE LAWS

STATUTORY CITATION: Idaho Code §§ 33-201 – 33-211

GENERAL SUMMARY: With certain narrow exceptions, the parent or guardian of any child residing in Idaho who has attained the age of 7 years at the start of school in the local district, but has not reached the age of 16, must assure that the child attends a public, private or parochial school, or receives approved comparable instruction, for a period of time each year equal to the duration of the public school session.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance provision applies universally to children in the affected age bracket unless they are individually excused or exempted by local school authorities. The obligation to assure attendance falls on parents or guardians without respect to occupational category.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by school district boards of trustees, in cooperation with county probation officers. Whenever it comes to the attention of the local school board that the parents or guardians of any child are failing to meet their duty to assure the child's school attendance, the board may file a petition to have proceedings brought against the parents or guardians under the Juvenile Corrections Act.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Illinois

● COMPULSORY SCHOOL ATTENDANCE LAWS

STATUTORY CITATION: 105 Ill. Comp. Stat. §§ 5/26-1 – 5/26-16

GENERAL SUMMARY: With a few narrow exceptions, whoever has custody or control of any child who has reached the age of 6 on or before September 1 and is not over the age of 17 must see that the child attends a local public school (or a private school providing comparable instruction) for the entire time it is in session during the regular school term.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance laws apply to children in the affected age group, and to their parents and guardians, without respect to occupational considerations.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by school districts and regional school superintendents, through truant officers and other designated authorities. If, after notice of non-compliance and a series of other procedural requirements, a person having custody of a child fails to comply with the attendance assurance responsibility, a truant officer may file a truancy petition with the state's attorney or in circuit court. Conviction of such an offense carries a maximum penalty of 30 days' imprisonment and a \$500 fine.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Indiana

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Ind. Code §§ 20-33-2-1 – 20-33-2-47

GENERAL SUMMARY: The compulsory school attendance law provides generally that each child who is at least 7 years of age and has not reached the age of 18 must attend either a public school or some other school which is taught in the English language, for the period of time each year during which the local public schools are in session. It is unlawful for a parent to fail to ensure that his or her child attends school as required.

PROVISIONS APPLICABLE TO AGRICULTURE: These provisions apply to children in the affected age group, and to their parents, without regard to occupational classification or employment status.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory attendance law is enforced by the local school corporations, through attendance officers appointed for that purpose. Attendance officers are authorized to visit the homes of children who are absent from school and to visit workplaces where children are employed, to investigate suspected or reported violations of the law. At the direction or with the approval of the superintendent of schools, an attendance officer may bring suit in the appropriate court to enforce compliance with any provision of the compulsory attendance law.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Student Services, Indiana Department of Education, Indianapolis, Indiana 46204 (317-232-6610)*. Among other functions under this law, the Department is authorized to set qualifications for local attendance officers and to design and maintain a system of attendance reports, records and forms necessary for enforcement of compulsory attendance.

Iowa

● **COMPULSORY EDUCATION LAW**

STATUTORY CITATION: Iowa Code §§ 299.1 – 299.24

GENERAL SUMMARY: Under Iowa's compulsory education law, a person who has control of a child over 6 and under 16 years of age, in proper physical and mental condition to attend school, must see that the child attends public school, or place the child under competent private instruction, during the school year set by the local school district.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance provisions apply without regard to the occupational classification of the child or the child's parent or guardian.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by the boards of directors of the local school corporations, through truancy officers and other attendance personnel. Truancy officers are authorized to take into custody without warrant any apparently truant child and to institute criminal misdemeanor proceedings against any person who has failed to assure the child's attendance as required.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Kansas

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Kan. Stat. §§ 72-1111 and 72-1113

GENERAL SUMMARY: With few exceptions, the compulsory school attendance law requires every parent or guardian having control of any child in Kansas who has reached the age of 7 years, but who is under the age of 18, to ensure that the child attends a public school for the duration of the prescribed school term, or a private, denominational or parochial school taught by a competent instructor for a substantially equivalent period of time.

PROVISIONS APPLICABLE TO AGRICULTURE: The school attendance provisions apply without regard to the occupational classification or employment status of the parent or child.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – This law is enforced at the local level by the state's local school boards. Each school board must designate one or more attendance officers, who are responsible for monitoring compliance with the compulsory attendance law. Whenever a child under the age of 13 is not attending school as required, the local attendance officer generally must report the case to the Department for Children and Families for corrective action; cases of non-attendance by children 13 years of age and older are reported to the appropriate county or district attorney.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Kansas Department for Children and Families, Topeka, Kansas 66612 (785-296-3271).*

Kentucky

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: Ky. Rev. Stat. §§ 159.010 – 159.270

GENERAL SUMMARY: With only limited exceptions, the compulsory attendance law requires each parent, guardian or other person residing in Kentucky and having charge of a child who is at least 6 years of age, but who has not reached the age of 18, to send the child to a regular public day school for the full term that the local public schools are in session.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance requirement applies to every child in the affected age group who resides in Kentucky, and neither the child nor the person in charge of the child is excused from compliance or the penalties for non-compliance on the ground that the child's residence is seasonal or that the parent is a resident of another state.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Compulsory school attendance is monitored and enforced by each school district's Director of Pupil Personnel, who is vested with police powers comparable to those of peace officers and may investigate any case of non-attendance at school by any child of compulsory school age or suspected of being of that age. To check compliance with the school attendance provisions, pupil personnel directors are authorized to enter any premises where children are employed. In accordance with local school board policies, such officers may institute legal proceedings against any person violating the attendance law, after notice and opportunity for corrective action. Any parent, or any person standing in the place of a parent, who willfully fails to comply is subject to a fine.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Louisiana

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: La. Rev. Stat. § 17:221 – 17:235.2

GENERAL SUMMARY: In general, every parent or other person residing in Louisiana and having control or charge of any child between the ages of 7 and 18 must send such child to a public or private day school and assure the child's attendance in regularly assigned classes during regular school hours established by the school board. Among other exceptions, 16- and 17-year-olds may withdraw from school to enroll in an alternative education program or vocational-technical education program, on application by their parent or legal guardian to the local school district.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance law applies without respect to the employment status of the school-age child or the child's custodian. Children in the age range subject to compulsory school attendance may not be excused from school to work at any time in any job, including agriculture, even in the employ of their own parents.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory school attendance provisions are enforced by parish and city school boards, and by district family or juvenile courts. Local attendance officers employed by their respective school boards are responsible for investigating cases of non-attendance and unexcused absences from school by all children within the affected age range.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Louisiana Department of Education, Baton Rouge, Louisiana 70804 (225-219-5172; toll-free 877-453-2721)*. The state superintendent of education has authority to appoint staff in the Department of Education whose primary responsibility is supervision and enforcement of the compulsory school attendance provisions.

Maine

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: Me. Rev. Stat. Title 20-A, §§ 5001-A – 5004

GENERAL SUMMARY: With certain exceptions, persons who are 7 years of age or older, but who are under the age of 17, must attend a public day school (or obtain state-approved equivalent instruction) during the time the school is in regular session. All adults having a child of compulsory school age under their control must assure the child's attendance at school.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance law generally applies to children in the affected age bracket without regard to their employment status or occupational classification, or the status or classification of their parents or guardians.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by local school boards, under local rules filed with the state education commissioner. The district courts have jurisdiction over compulsory attendance offenses.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Maine Department of Education, Augusta, Maine 04333 (207-624-6620)*. The Department is responsible for guiding local school boards in adopting their respective compulsory attendance rules.

Maryland

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: Md. Code, Educ. § 7-301

GENERAL SUMMARY: Each child who resides in Maryland, and who is at least 5 years old but has not yet reached age 17 (age 18 beginning July 1, 2017), must regularly attend a public school during the entire school year, unless the child is otherwise receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age. Each person who has under his or her control a child of compulsory school attendance age must see that the child attends school or receives equivalent instruction as required.

Among other exceptions, a child under the age of 17 who provides financial support to his or her family, as documented by a local social services department, may be exempt from the compulsory attendance requirement.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance law applies to children in the affected age range, without regard to the occupational classification of their parents or guardians.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory attendance law is enforced through the courts, by county boards of education, county school superintendents, and local law enforcement agencies. The law prescribes a fine of up to \$50 per day of unlawful absence, imprisonment for up to 10 days, or both fine and imprisonment, for any person convicted on a first offense of failing to assure the required school attendance of a child.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Massachusetts

● **SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Mass. Gen. Laws Ch. 76, §§ 1 – 21

RELATED REGULATIONS: 603 Mass. Code Regs. 8.02

GENERAL SUMMARY: With some exceptions, every child between the ages of 6 and 16 who resides in Massachusetts must attend a public day school, or receive approved equivalent private instruction, during the school year prescribed by the state board of education. Every person in control of a child of compulsory school attendance age must assure that the child attends school as required.

PROVISIONS APPLICABLE TO AGRICULTURE: There are no agriculturally-related exceptions to the school attendance requirement.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced in the courts, through local attendance supervisors employed by the respective school committees. The local schools are also responsible for issuance of employment permits, in many cases a prerequisite for the lawful employment of minors. Parents and guardians who fail to comply with their duty to assure the required school attendance of any child in their custody are subject to prosecution and fines.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Michigan

● REVISED SCHOOL CODE (*COMPULSORY SCHOOL ATTENDANCE*)

STATUTORY CITATION: Mich. Comp. Laws §§ 380.1561 – 380.1599

GENERAL SUMMARY: With some exceptions, every parent, guardian or other person in Michigan having control or charge of a child from the age of 6 to the child's 16th birthday must send the child to a public school, or to a state-approved non-public school or home school that provides comparable instruction, during the entire school year.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory education provisions apply uniformly to children in the affected age group, with no exception for agricultural employment.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by school attendance officers and other local school personnel. If a parent or guardian fails to send a child to school as required, the attendance officer, on receiving notice of that fact from proper authority, must give written notice to the party responsible for the child's attendance, requiring the child to appear. Failure to comply with such a notice may result in a formal legal complaint against the responsible party. A violation is punishable by a fine, imprisonment, or both.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Office of Career and Technical Education, Michigan Department of Education, Lansing, Michigan 48909 (517-335-6041).*

Minnesota

● SCHOOL ATTENDANCE LAWS

STATUTORY CITATION: Minn. Stat. §§ 120A.20 – 120A.38

GENERAL SUMMARY: Every child between 7 and 17 years of age must attend a qualified public or private school during the entire time the school is in session during the school year, unless the child has graduated or is excused from attendance by the local school board. It is the responsibility of the parent to assure the child acquires the knowledge and skills essential for effective citizenship.

PROVISIONS APPLICABLE TO AGRICULTURE: There are no employment-related exceptions to compulsory school attendance by children in the affected age range.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory attendance laws are enforced by district school superintendents. Each superintendent is required to notify the parent, guardian or other person in charge of any child whose unexcused absence has been reported to the superintendent by a school attendance officer. If the child fails to attend following such notification, the superintendent must advise the county attorney of the facts of the case and file a criminal complaint against the party responsible for non-compliance.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Mississippi

● **MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Miss. Code §§ 37-13-80 – 37-13-107

GENERAL SUMMARY: With only narrow exceptions, the Mississippi Compulsory School Attendance Law requires the parent, guardian or custodian of any child who reaches the age of 6 on or before September 1 of any year, but is under the age of 17 by that date, to enroll the child in a public school or a legitimate non-public school for the ensuing school year and assure the child's attendance.

PROVISIONS APPLICABLE TO AGRICULTURE: Children of compulsory school age are required to attend school without regard to their own employment status or that of their parents.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Office of Compulsory School Attendance Enforcement, Mississippi Department of Education, Jackson, Mississippi 39205 (601-359-3178). The Compulsory School Attendance Law is enforced by school attendance officers employed and supervised by the Department. Attendance officers must investigate all cases of non-attendance and unlawful absences by compulsory-aged children not enrolled in a non-public school. When a school attendance officer has exhausted attempts to secure the attendance of a compulsory-school-age child, the attendance officer must file a report with the youth court, which has jurisdiction to enforce school and education laws. The youth court may order any public school to enroll or re-enroll any compulsory-school-age child after notice and hearing.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – None.

Missouri

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: Mo. Rev. Stat. §§ 167.031 – 167.111

GENERAL SUMMARY: In general, every parent, guardian or other person in Missouri having custody or control of a child between the ages of 7 and 17 is responsible for assuring the child's regular attendance at a public, private, parochial, parish or home school, for the entire length of the school term. The upper age limit may be lowered to 16 by vote of the school board in any metropolitan school district.

PROVISIONS APPLICABLE TO AGRICULTURE: There are no employment- or occupation-related exceptions to the school attendance requirement.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The local school districts are responsible for enforcing the compulsory attendance law, through school attendance officers or comparable officials appointed for that purpose. Attendance officers are vested with the same enforcement powers exercised by deputy sheriffs in the performance of their duties, and hence are authorized to enter any place of employment, private business establishment or public property, inspect age and employment documents, and make arrests without warrant where truancy is in evidence. Parents, guardians and other individual custodians of children of compulsory school age who are not enrolled in school or fail to attend as required are subject to criminal prosecution.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *Commissioner of Education, Missouri Department of Elementary and Secondary Education, Jefferson City, Missouri 65101 (573-751-4212).*

Montana

● **COMPULSORY ENROLLMENT AND ATTENDANCE LAW**

STATUTORY CITATION: Mont. Code §§ 20-5-101 – 20-5-111

GENERAL SUMMARY: With few exceptions, any parent, guardian or other person responsible for the care of a child (1) who is 7 years of age or older, and (2) who has not reached the age of 16 and has not completed the 8th grade, must enroll the child in a public school or its prescribed equivalent and assure the child's attendance.

PROVISIONS APPLICABLE TO AGRICULTURE: A parent's responsibility for assuring school enrollment and attendance by his or her child applies without regard to the employment status or occupational classification of the parent or the child.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory enrollment and attendance provisions are enforced by the attendance officer or officers employed by each school district in the state. Attendance officers are vested with police powers, the authority to serve warrants, and the authority to enter workplaces where children are employed, in order to enforce compliance. When a child of compulsory school age is discovered not enrolled in or absent from school without a valid excuse, the child's parent or guardian must be notified of the legal consequences of failure to compel the child's attendance. Failure to comply will result in a meeting with the parent or guardian to formulate a plan to resolve the truancy, and if compliance is still not forthcoming, the attendance officer may refer the matter to the local public attorney for possible prosecution. Conviction of the parent or guardian may result in a fine, an order to perform community service, or imprisonment.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Nebraska

● **COMPULSORY EDUCATION LAW**

STATUTORY CITATION: Neb. Rev. Stat. §§ 79-201 – 79-210

GENERAL SUMMARY: Every person in Nebraska who has legal or actual control of a child who will reach the age of 6 by January 1 of the then-current school year, but who has not reached age 18, must ensure that the child enrolls and regularly attends an approved public, private, denominational or parochial day school each day the school is open and in session that year.

In addition to other, more narrow exemptions, the compulsory education requirement does not apply where the services or earnings of a child are necessary for the support of those actually dependent on the child, or for his or her own support, provided the child is at least 14 years old and has completed the 8th grade. This exception to the school attendance requirement, however, is contingent on (1) application by the child's parent or guardian for an employment permit from the local school superintendent, and (2) attendance by the child at a part-time continuation school, if available, for 8 hours a week during the entire school year.

PROVISIONS APPLICABLE TO AGRICULTURE: These provisions apply to children of compulsory school age, and to their parents or guardians, without occupational distinctions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory education law is enforced by city and county school superintendents, through attendance officers employed for that purpose. Whenever a child's reported failure to attend school as required comes to the attention of the superintendent, and subsequent investigation confirms unlawful absence, the local attendance officer must try informally to correct the violation. Continued failure by the parent or guardian to send the child to school must be reported to the county attorney for prosecution.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Nevada

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: Nev. Rev. Stat. §§ 392.040 – 392.220

GENERAL SUMMARY: Each parent, guardian or other person in Nevada having control or charge of any child between the ages of 7 and 18 years must send the child to a public school (or its equivalent) for the entire term during which the school is in session.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance provisions apply to children in the affected age range without regard to occupational classification.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – This law is enforced by the boards of trustees of the state's local school districts, through school attendance officers and comparable officials. During school hours, attendance officers are authorized to take into custody, without warrant, any child of compulsory school age who has been reported by school personnel to be absent without a valid excuse. The school board must investigate all charges against parents and guardians for failure to assure required attendance, and whenever a violation is confirmed, the clerk of the board or the attendance officer must file a criminal complaint and see that the charge is prosecuted.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

New Hampshire

● **COMPULSORY SCHOOL ATTENDANCE LAWS**

STATUTORY CITATION: N.H. Rev. Stat. §§ 193:1 – 193:8

GENERAL SUMMARY: With only narrow exceptions, every child who has reached the age of 6 on or before September 30 in a particular school year, but who is not yet 18, must attend a public or approved private school throughout the time the public schools are in session that year. Every person having custody of such a child must cause the child to attend school during the entire school year.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance provisions apply without regard to the employment status or occupational classification of the child or the child's custodian.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by the local school boards, which must formally advise parents and guardians of the requirements of the law in all suspected cases of non-compliance.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

New Jersey

● **COMPULSORY EDUCATION LAWS**

STATUTORY CITATION: N.J. Rev. Stat. §§ 18A:38-25 – 18A:38-36

GENERAL SUMMARY: Every parent, guardian or other person having custody and control of a child between the ages of 6 and 16 years must assure that the child regularly attends public school, or receives equivalent instruction, during the entire time the public schools in the local district are in session.

PROVISIONS APPLICABLE TO AGRICULTURE: There are no employment-related exceptions to the compulsory attendance provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory education laws are enforced by the local school districts, through attendance officers employed for that purpose, assisted by municipal and county law enforcement officers. Any such officer who finds a child between the ages of 6 and 16 who is truant is authorized to take the child into immediate custody and deliver the child to its parent, guardian or teacher. Parents of a truant child are initially given a warning concerning the consequences of non-compliance with the attendance provisions, willful or continued violation of which is punishable by a fine ranging from \$25 to \$100.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

New Mexico

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: N.M. Stat. §§ 22-12-1 – 22-12-9

GENERAL SUMMARY: With certain exceptions, the Compulsory School Attendance Law requires every child who has reached the age of 5 prior to September 1 in a given school year, but who is not yet 18 and has not graduated from high school, to attend a public school, charter or private school, home school, or state institution for the duration of the school year. The parent, guardian or other person having custody and control of such child is responsible for the child's school attendance.

PROVISIONS APPLICABLE TO AGRICULTURE: The Compulsory School Attendance Law and its exceptions apply without regard to the occupational classification of children in the affected age range or the occupation of their parents.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by the public school boards in New Mexico and by governing authorities of the state's charter and private schools. Parents and others in charge of children of compulsory school age who fail to attend school as required must be given written notice of the violation, after which continued non-compliance will be reported to the district probation services office. Knowingly allowing a student to continue to violate the Compulsory School Attendance Law renders the child's parent, guardian or custodian liable to compulsory community service, a fine, or a jail sentence.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

New York

● COMPULSORY EDUCATION LAW

STATUTORY CITATION: N.Y. Education Law §§ 3201 – 3234

GENERAL SUMMARY: Article 65, Part 1 of the state education statutes prescribes the age limits within which school attendance in New York is mandatory and restricts the employment of minors of compulsory school age.

PROVISIONS APPLICABLE TO AGRICULTURE

COMPULSORY ATTENDANCE — With only narrow exceptions not related to occupational classification, every minor from 6 to 16 years of age residing in any school district in the state must attend a public school or receive substantially equivalent full-time instruction.

PARENTAL RESPONSIBILITY — A person in parental relation to a child of compulsory school age is responsible for the child's attendance, regardless of the person's employment status or occupational classification.

EMPLOYMENT RESTRICTIONS — In general, no minor may be employed during the hours when attendance at school is required by the compulsory education provisions. Employment of a minor under 16 in work on a farm is prohibited at any other time as well, unless the child has been issued an employment certificate or farm work permit by the local school district. To obtain a farm work permit, the minor must present the issuing officer with evidence of age, the written consent of the minor's parent or guardian, and a certificate of physical fitness.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory attendance requirement is enforced by the local school districts, through attendance supervisors and comparable officers employed for that purpose. In performing their duties, attendance officers may enter any business establishment or other place where minors are employed, examine on demand the employment certificates or work permits of such workers, and otherwise ascertain if any such child is required to be in school. Attendance officers may arrest without warrant any minor unlawfully absent from school and, observing due process, see that charges are brought against the parent or other custodian responsible for the child's attendance.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *New York State Education Department, Albany, New York 12234 (518-474-5844)*. The Department has supervisory control over local enforcement of the compulsory attendance provisions and is authorized to withhold one-half of all public school moneys from any district which fails to enforce them.

North Carolina

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: N.C. Gen. Stat. §§ 115C-378 – 115C-389

GENERAL SUMMARY: Every parent, guardian or other person in North Carolina having charge or control of a child between the ages of 7 and 16 years must assure the child's continuous attendance at an approved public or private school for the duration of the public school session.

PROVISIONS APPLICABLE TO AGRICULTURE: The parent's obligation to assure school attendance generally applies without regard to the employment status or occupational classification of either the parent or the child.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory attendance law is enforced by the local schools, in conformity with rules established by the state board of education. When a child has accumulated 3 unexcused absences in a school year, the school principal must notify the child's parent or custodian of the child's excessive absences. After no more than 6 unexcused absences, the parent or guardian must be notified by mail of a possible violation of the law and the potential for prosecution if the absences cannot be justified. If, after 10 accumulated absences, school officials determine that the adult in charge has not made a good-faith effort to comply, they must refer the matter to the district attorney and county social services director. Violations are treated as Class 1 misdemeanors.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

North Dakota

● **SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: N.D. Cent. Code §§ 15.1-20-01 – 15.1-20-04

GENERAL SUMMARY: Every parent, guardian or other person who resides within a North Dakota school district and has control over a child between the ages of 7 and 16 not otherwise exempted from attendance must send the child to a public or approved non-public school for the entire length of the public school session.

PROVISIONS APPLICABLE TO AGRICULTURE: Except where a child's employment has been found by the local school board to be necessary to the support of the family, the obligation to assure school attendance generally applies without regard to the employment status or occupational classification of the parent, guardian or child.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory school attendance law is enforced by teachers and administrators of the local school districts. If, after investigation by a school administrator, the absence of a child in the affected age bracket cannot be legally justified by the child's custodian, the violation must be reported to local law enforcement authorities.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Ohio

● SCHOOL ATTENDANCE LAWS

STATUTORY CITATION: Ohio Rev. Code §§ 3321.01 – 3321.99

GENERAL SUMMARY: Every parent or custodian of any child between 6 and 18 years of age who is not employed under an age and schooling certificate must send the child to a school or special education program that meets minimum state standards, for the full time the school or program is in session. During the regular school term, an age and schooling certificate may be issued only to a child over the age of 16 who has satisfactorily completed a vocational or special education program adequate to prepare students for an occupation.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory education laws apply irrespective of the occupational classification of the child of compulsory school age or the child's parent or custodian. Neither the child nor the custodian is excused from these provisions on grounds that the child's residence in Ohio is seasonal, that the parent is a resident of another state, or that the child has attended school for the legal period in another state.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Compulsory attendance is enforced by the local school boards, through attendance officers employed for that purpose. Attendance officers may investigate any case of unexcused non-attendance by a child under 18, as reported by school personnel or discovered through routine workplace inspections. When a child is not attending school as required, the attendance officer must warn the child and the child's parent or custodian in writing of the legal consequences of truancy and require corrective action. The parent's failure to assure the child's attendance thereafter may result in a formal complaint against the parent in court.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Oklahoma

● **OKLAHOMA SCHOOL CODE (*COMPULSORY ATTENDANCE*)**

STATUTORY CITATION: Okla. Stat. Title 70, § 10-105

GENERAL SUMMARY: With few exceptions, it is unlawful for a parent, guardian or other person having control of a child who is over the age of 5 and under the age of 18, and who has not finished four years of high-school work, to neglect or refuse to compel the child to attend a public, private or other school, unless other means of education are provided for the full term the schools of the district are in session.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance provision applies to children in the affected age group without regard to the employment status or occupational classification of their parents or guardian.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – This provision is enforced by local school attendance officers. Persons found in violation are subject to a criminal fine ranging from \$25 to \$250, imprisonment for from 5 to 15 days, or both a fine and imprisonment. Each day a child remains out of school after written or documented oral warning has been given to the parent or guardian constitutes a separate offense.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Oregon

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Or. Rev. Stat. §§ 339.010 – 339.095

GENERAL SUMMARY: In general, every child between the ages of 6 and 18 who has not completed the 12th grade must regularly attend a public full-time school in the district in which the child resides, or receive equivalent private or parochial school instruction. Every person having control of a child between 6 and 18 years of age who has not completed the 12th grade is responsible for the child's regular school attendance or instruction.

Under certain conditions, a child 16 or 17 years old who is lawfully employed full-time, or who is employed part-time and in an approved education program part-time, may be exempted from these requirements.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance law applies to children in the affected age bracket and to their custodians without respect to occupational classification.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by attendance supervisors employed by the local school districts. When notified of a child's truancy or unexcused absence, the attendance supervisor must investigate and give formal written notice of the attendance requirements to the parent or other person responsible for the child. Continued failure to assure attendance may result in citation of the parent or custodian. Non-compliance is punishable as a Class C misdemeanor.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Pennsylvania

● PUBLIC SCHOOL CODE OF 1949 (*COMPULSORY SCHOOL ATTENDANCE*)

STATUTORY CITATION: 24 Pa. Stat. §§ 13-1326 – 13-1333

GENERAL SUMMARY: In general, every child residing in Pennsylvania who is at least 8 years old but not yet 17 is required to attend a day school in which the state-prescribed curriculum is taught in the English language. It is the legal responsibility of every parent, guardian or other person having control of a child of compulsory school age to send the child to such a school for the entire term during which the public schools where the child is living are in session. Among other exceptions, a child who has attained the age of 16 and is regularly employed under a valid employment certificate issued by the local school district is not required to attend school.

PROVISIONS APPLICABLE TO AGRICULTURE

COVERAGE — Along with other children of compulsory school age who are members of farmworker households and not excused from compliance under the exceptions cited below, every migratory child between 8 and 17 years of age temporarily residing in Pennsylvania in connection with seasonal employment is subject to the compulsory school attendance provisions. The parent or other person in charge of such a child must assure the child's attendance during the entire time the local public schools are in session.

EXCEPTIONS — The compulsory attendance law does not apply to (1) any child 14 years of age who is employed in agriculture under a valid work permit issued by the local school district and who has satisfactorily completed the elementary grades, or (2) any child age 15 or over who is employed in farmwork under a work permit, regardless of educational attainment.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory attendance requirements are enforced by the local school districts, through attendance officers employed for that purpose. Attendance officers are vested with full police powers and may enter any place where children are employed, inspect employment certificates and work permits, and arrest without warrant any child who fails to attend school in compliance with these provisions. A parent or person in parental relation to a child of compulsory school age who, after 3 days' written notice of a violation, fails to comply with his or her duty to assure the child's attendance is subject to a fine of \$300, completion of a parenting education program, or a jail term of up to 5 days.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Puerto Rico

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: 3 Laws P.R. Ann. § 143b

GENERAL SUMMARY: With only narrow exceptions, all children between the ages of 5 and 18 must be enrolled in a public school located within a reasonable distance of their homes.

PROVISIONS APPLICABLE TO AGRICULTURE: This provision applies to every minor in the affected age bracket regardless of the occupational classification or employment status of the child or the child's parent or guardian.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory attendance law is enforced at the local level by teachers, supervising principals and social workers.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

● **CHILD LABOR LAWS (COMPULSORY SCHOOL ATTENDANCE)**

STATUTORY CITATION: 29 Laws P.R. Ann. §§ 450 – 456

GENERAL SUMMARY: Every parent or other person having charge of a minor under 16 years of age must assure the child's regular attendance at a public or private school during regular school hours and for the entire length of the public school term, unless the child is found to be mentally unfit to attend and is excused by the school supervisor.

PROVISIONS APPLICABLE TO AGRICULTURE: These provisions apply to all minors under 16, regardless of the employment status or occupation of the minor or the child's parent or custodian.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Bureau of Labor Standards, Puerto Rico Department of Labor and Human Resources, Hato Rey, Puerto Rico 00918 (787-754-2100).* Local school officials are obligated to report to the Department the name of any enrolled minor under the age of 16 who has been absent from school for a week during any school month for the purpose of employment. If the child is unlawfully absent again after a written notice requiring attendance, legal action may be taken against the child's parent or guardian. Failing to cause a child to regularly attend, or inducing a child not to attend, in contravention of these provisions may result in a fine of up to \$50.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Rhode Island

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: 16 R.I. Gen. Laws §§ 16-19-1 – 16-19-10

GENERAL SUMMARY: With only narrow exceptions, every child in Rhode Island who has reached the age of 6 but is not yet 18 must regularly attend a public day school, an approved private school, or an approved course of at-home instruction during the days and hours the local public schools are in session. It is the legal duty of every person who has under his or her control a child between the ages of 6 and 18 to see that the child regularly attends school or its approved equivalent.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance law applies without regard to the employment status or occupational classification of the child or the child's custodian.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by the local public school committees, through truant officers appointed for that purpose. Truant officers are authorized to visit places of employment, inspect personnel records, and take other steps to ascertain compliance with the school attendance law. For any violation of the law, truant officers alone are empowered to file a complaint against the responsible party. Neglect of the duty to assure a child's attendance is punishable by a fine of up to \$50 per day for each day of unexcused absence. If non-compliance exceeds a cumulative total of 30 days, the penalty for conviction may include a fine of up to \$500 and 6 months' imprisonment.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

South Carolina

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: S.C. Code §§ 59-65-10 – 59-65-90

GENERAL SUMMARY: All parents or guardians in South Carolina generally must see that their children or wards who are in the age group 5 to 16 years (inclusive) attend an approved public, private, parochial or denominational school, or an approved alternative educational program. Among other, more narrow exceptions, the law exempts from attendance any child who has completed the 8th grade and who is determined by a court to be legally and gainfully engaged in employment necessary for the maintenance of the child's household.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance law applies without regard to the occupational classification of the child or the child's parent or guardian.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by the board of trustees of each of the state's local school districts. If not remedied through the informal efforts of the district's attendance supervisor, non-attendance by a child in the affected age group may be reported by the board to the appropriate juvenile court. Any parent or guardian who neglects to enroll a child in school, or refuses to make the child attend as required, is subject to a fine of up to \$50 or a jail term of up to 30 days for each day the child remains absent.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

South Dakota

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: S.D. Codified Laws §§ 13-27-1 – 13-27-29

GENERAL SUMMARY: Every person having control of a child who is at least 6 years of age must assure that the child regularly attends some public or non-public school for the entire term during which the local public schools are in session, until the child has graduated or reaches the age of 18, unless the child is receiving approved alternative instruction for an equivalent period of time.

PROVISIONS APPLICABLE TO AGRICULTURE: There are no employment-related exceptions to the compulsory school attendance law.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by the local school boards, through truancy officers employed by each board for that purpose. In response to a report of a child's unexcused absence or irregular attendance, the truancy officer must investigate the circumstances of the case and may file a truancy complaint in court against the person responsible for the child's attendance where evidence of non-compliance is confirmed. A teacher, school officer or other person may also file a truancy complaint. The law prescribes misdemeanor criminal penalties for any such violation.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Tennessee

● SCHOOL ATTENDANCE LAWS

STATUTORY CITATION: Tenn. Code §§ 49-6-3001 – 49-6-3051

GENERAL SUMMARY: With only narrow exceptions, every parent, guardian or other person residing in Tennessee and having control of a child between the ages of 6 and 17 (inclusive) must see that the child attends a public or non-public school.

PROVISIONS APPLICABLE TO AGRICULTURE: The obligation to assure school attendance applies to parents or custodians and their school-age children without regard to employment status or occupational classification.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Sole authority for enforcing the compulsory attendance laws is vested in the local school districts. With respect to any child of compulsory school age who is not enrolled in school or who has been absent without valid excuse for a cumulative total of 5 days or more during the school year, the school superintendent or other authorized school official must serve written notice of the attendance requirements on the child's parent or custodian. Charges may be filed if the responsible party has not complied within 3 days thereafter. Violation of the compulsory attendance provisions is a Class C misdemeanor.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Texas

● **COMPULSORY SCHOOL ATTENDANCE LAWS**

STATUTORY CITATION: Tex. Educ. Code §§ 25.085 – 25.0951

GENERAL SUMMARY: Every child in Texas who has reached the age of 6 but has not yet reached the age of 19 is generally required to attend a public school each school day for the entire period the program of instruction is provided, or attend a private or parochial school whose curriculum includes good citizenship.

Among other narrow exceptions, the requirement to attend school does not apply to a child who (1) is at least 17 years old and has received a high school diploma or GED certificate, or (2) is at least 16 years old and is enrolled in an approved high school diploma program or GED preparation program.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance law applies to children in the affected age bracket without regard to employment status or occupational classification.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by school attendance officers appointed by the state's local school boards or superintendents, and by local peace officers. Attendance officers are authorized to investigate any case involving the non-enrollment or unexcused absence of a child of compulsory school age in their respective districts. If the parent or person standing in parental relation to such a child fails to see that the child attends school as required, the attendance officer must give a written warning to the child's parent or custodian. Criminally negligent failure to comply after a warning will lead to a complaint in county, justice or municipal court and, upon conviction, to a fine.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Utah

● **COMPULSORY EDUCATION LAW**

STATUTORY CITATION: Utah Code §§ 53A-11-101 – 53A-11-106

GENERAL SUMMARY: Any person having control of a minor between 6 and 18 years of age is required to send the minor to a public or regularly established private school — or request an exemption allowing the child to be home-schooled — during the school year of the district in which the minor resides. Among other exceptions, a local school board may partially excuse a minor over the age of 16 from attendance, to allow the child to enter employment or attend a trade school while attending school part-time, provided the child has completed the 8th grade.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance law applies to agricultural workers and their school-age children to the same extent as their non-farmworking counterparts.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by local boards of education. A public school administrator, truant officer, or peace officer may issue a notice of compulsory education violation if a child subject to the compulsory attendance law is absent from school without a valid excuse 5 or more times during the school year. It is a Class B misdemeanor for a parent or guardian of a school-age child, after being served with a notice of violation, to (1) fail to meet with school authorities to discuss the child's attendance problems, or (2) fail to prevent 5 or more unexcused absences during the remainder of the school year. The school board must report each case of a parent or guardian's non-compliance to the appropriate county or district attorney

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Vermont

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: Vt. Stat. Title 16, §§ 1121 - 1129

GENERAL SUMMARY: Every person having control of a child between the ages of 6 and 16 must assure that the child attends a public school, an approved independent school or education program, or a home study program for the full number of days for which the school or program is held. Among other exceptions, a child who has completed the 10th grade is not subject to this requirement.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory attendance law applies to all custodians of school-age children regardless of employment status or occupational classification, and to all school-age children regardless of residency status.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by truant officers appointed by the local school boards, and by local peace officers deemed truant officers *ex officio* by the statute. The non-enrollment or unexcused absence of any child of compulsory school age will be investigated, and in the event the child is absent without valid cause, a written notice will be served on the person or persons in whose custody the child resides. Failure to comply with the attendance requirement thereafter may result in prosecution of the custodian, who is subject to a fine of up to \$1,000 upon conviction.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Virginia

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Va. Code §§ 22.1-254 – 22.1-269.1

GENERAL SUMMARY: In general, every parent, guardian or other person in Virginia having control or charge of a child who has reached the age of 5 by September 30 in any school year, but who is not yet 18, must send the child to a public, private, denominational or parochial school, or have the child privately taught or tutored, during the entire period in which the public schools are in session, and for the same number of days and hours. However, the parents of a child who is 5 years old by September 30 may be excused from this requirement if they notify the appropriate local school board that they do not want the child to attend school until the following year.

PROVISIONS APPLICABLE TO AGRICULTURE: The compulsory school attendance law applies to all persons having custody of a child in the affected age range, regardless of the employment status or occupational classification of the custodian or child.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced locally by school attendance officers appointed for that purpose by the local school boards. Attendance officers are required to investigate unexplained absence or non-enrollment of all children of compulsory school age within their respective districts, and whenever a child is found absent with no valid excuse for a total of 5 scheduled school days, the attendance officer must notify the child's parent or guardian of the attendance requirement and try to resolve the issues related to the child's non-attendance. Continued failure to comply with the law may result in a complaint to the juvenile and domestic relations court. Violation of the school attendance law is classified as a misdemeanor.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *State Board of Education, Virginia Department of Education, Richmond, Virginia 23218 (804-225-2924)*. It is the Board's duty to see that the compulsory attendance provisions are properly enforced throughout the state.

Washington

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: Wash. Rev. Code §§ 28A.225.005 – 28A.225.330

GENERAL SUMMARY: The parent or legal guardian of any child who is at least 8 years of age and under 18 must cause the child to attend a public school in the district in which the child resides, for the full length of the school term, unless the child is attending an approved private school or is receiving approved home-based instruction. Among other, more narrow exceptions, minors 16 years old and over who (1) have met certain educational competency requirements and (2) are regularly and lawfully employed with parental consent, are exempt from the compulsory attendance requirement.

PROVISIONS APPLICABLE TO AGRICULTURE: These provisions apply to the parents or legal custodians of children in the affected age group without regard to occupational classification.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory school attendance law is enforced by the local school districts, through attendance officers and other school personnel appointed for that purpose. Attendance officers are authorized to enter all places where children may be employed, to take into custody any child of compulsory school age who is found truant, and to investigate the circumstances of unexplained absence or non-enrollment of such a child. If, after written notice to the parent or guardian and informal efforts to achieve compliance, a child continues to be absent from school without a valid excuse, a petition may be filed requesting juvenile court to assume jurisdiction. The person responsible for the child's attendance is subject to a fine of up to \$25 for each day of the child's unexcused absence from school.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

West Virginia

● **COMPULSORY SCHOOL ATTENDANCE LAW**

STATUTORY CITATION: W. Va. Code §§ 18-8-1 – 18-8-12

GENERAL SUMMARY: Unless exempted, every child in West Virginia who has reached the age of 6 by September 1 in any school year, but who is not yet 17, is required to attend public school or receive equivalent instruction in an approved private or parochial school or at home. Anyone who, after due notice, fails to assure the attendance of a school-age child in his or her legal or actual custody is guilty of a misdemeanor.

PROVISIONS APPLICABLE TO AGRICULTURE: There are no agriculturally related exceptions to the compulsory school attendance law.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by county attendance directors employed for that purpose by the county boards of education. Attendance directors are obligated to investigate the circumstances of each reported instance of non-attendance by a child of compulsory school age, and attempt to resolve the causes of non-attendance. For each day in which a child is unlawfully out of school, the responsible party is subject to a fine of from \$50 to \$100.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Wisconsin

● COMPULSORY SCHOOL ATTENDANCE LAWS

STATUTORY CITATION: Wis. Stat. §§ 118.15 and 118.16

GENERAL SUMMARY: Any person having control of a child between the ages of 6 and 18 must see that the child regularly attends a public or private school for the full period and during all hours that the school is in session, until the child graduates from high school, until the end of the term in which the child reaches the age of 18, or unless the local school board excuses the child from attendance under one of several statutory exemptions from this requirement.

PROVISIONS APPLICABLE TO AGRICULTURE: There are no categorical exceptions to compulsory school attendance by the children of agricultural workers or for reasons directly related to agricultural employment.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – These provisions are enforced by school attendance officers designated by the local school boards. Attendance officers are authorized to visit any place of employment and any public or private school in their respective districts, to examine age and employment certificates, inspect attendance records, and conduct related enforcement activities. Before the end of the second school day after discovering or receiving a report of an unexcused absence by a child of compulsory school age, the attendance officer must give notice to the child's parent or guardian, directing return of the child to school no later than the next school day. Continued non-compliance with the law may lead to prosecution of the child's custodian and a fine, jail term, or both.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Wyoming

● **COMPULSORY ATTENDANCE LAW**

STATUTORY CITATION: Wyo. Stat. §§ 21-4-101 – 21-4-107

GENERAL SUMMARY: With only narrow exceptions, every parent, guardian or other person having control or charge of any child who is a resident of Wyoming and at least 7 years of age on September 15 of any school year, but who has not reached the age of 16 or completed the 10th grade, is required to send the child to a public or private school that year for the entire time that the local public schools are in session.

PROVISIONS APPLICABLE TO AGRICULTURE: There are no employment- or agriculture-related exceptions to the school attendance requirement.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – The compulsory attendance law is enforced by the boards of trustees of the state's local school districts, each of which must appoint one or more attendance officers for that specific purpose. On receipt of a report from a school official that a child of compulsory school age is unexcusedly absent, the attendance officer must give written notice of the attendance requirement to the child's parent, guardian or custodian. A second unexcused absence, if attributable to willful disregard of the attendance law, will result in a formal complaint against the child's custodian before a justice of the peace. Non-compliance under such circumstances is a misdemeanor, punishable by a fine of up to \$25, confinement in the county jail for up to 10 days, or both such penalties.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*