

GEORGIA

Compulsory Attendance Ages:	“Between their 6th and 16th birthdays.” Official Code of Georgia Annotated § 20-2-690.1. However, if a child is under 7 and has attended more than 20 days in a Georgia public school, he is subject to the compulsory attendance laws. § 20-2-150(c).
Required Days of Instruction:	180 days. Ga. Code Ann. § 20-2-690(c)(5).
Required Subjects:	A basic academic educational program that includes, but is not limited to, reading, language arts, math, social studies, and science. Ga. Code Ann. § 20-2-690(c)(4).

Home School Statute: Ga. Code Ann. § 20-2-690(c).

1. Parents must submit a declaration of intent to home study to the local superintendent within 30 days after the establishment of the home study program and by Sept. 1 every year thereafter. This declaration must include the names and ages of students, the location of the home school, and the time the parents designate as their school year. Ga. Code Ann. § 20-2-690(c)(1-2).
2. The home school must provide “a basic academic educational program.” Ga. Code Ann. § 20-2-690(c)(4). (see “subjects” above).
3. Each school day must consist of four and one-half hours. Ga. Code Ann. § 20-2-690(c)(5).
4. Attendance records must be kept and submitted to the superintendent each month. The records will “not be used for any purpose except providing necessary attendance information.” Ga. Code Ann. § 20-2-690(c)(6).
5. Parent must write an annual progress report for each child in the required subjects and retain it for three years. Ga. Code Ann. § 20-2-690(c)(8).
6. “Parents or guardians may teach only their own children in the home study program ... but the parents or guardians may employ a tutor who holds at least a high school diploma or a GED equivalency diploma to teach such children.” § 20-2-690(c)(3).
7. According to the Attorney General of Georgia, the local superintendent does not have the authority to require parents to affirmatively produce evidence of their continuing compliance with the law in the operation of home study programs or require the production of documents. Although the superintendent has the authority to “request” such materials, he cannot require parents to submit them. 1986 Op. Att’y. Gen. No. U86-19.
8. This statute resulted from a home school decision by the Georgia Supreme Court, *Roemhild v. Georgia*, 251 Ga. 569, 308 S.E.2d 154 (Ga. 1983), which found the former law to be “unconstitu-

tionally vague.” *Roemhild*, 308 S.E. 2d at 159. The Court reasoned: “We conclude that the statute is not sufficiently definite to provide a person of ordinary intelligence, who desires to avoid its penalties, fair notice of what constitutes a ‘private school’.” *Roemhild* at 158. “Furthermore, the statute violated a second due process value in that it impermissibly delegates to local law enforcement officials, judges, and juries the policy decision of what constitutes a private school.” *Id.*

Teacher Qualifications: The “teaching parent” or tutor must have at least a high school diploma or a GED diploma. Ga. Code Ann. § 20-2-690(c)(3).

Standardized Tests: Children must take a nationally standardized achievement test every three years beginning at the end of the third grade. The test must be administered in consultation with a person trained in the administration and interpretation of norm reference tests. Since science and social studies are required subjects and the testing is required to evaluate the student’s “educational progress,” HSLDA is of the opinion that the complete battery form of the standardized test should be used. Test scores must be retained but are not required to be submitted to public school authorities. Ga. Code Ann. § 20-2-690(c)(7).