



Education (Scotland) Act 1945

1945 CHAPTER 37

PART II

RIGHTS AND DUTIES OF PARENTS AND FUNCTIONS OF EDUCATION AUTHORITIES IN RELATION TO INDIVIDUAL PUPILS.

Attendance at School.

25 Failure to attend regularly at a public school.

- (1) Where a child of school age who has attended a public school on one or more occasions fails without reasonable excuse to attend regularly at the said school, then, unless the education authority have consented to the withdrawal of the child from the school (which consent shall not be unreasonably withheld), his parent shall be guilty of an offence against this section.
- (2) It shall be the duty of the education authority, if they consider that a parent has committed an offence against this section, to serve a notice on the parent requiring him, within such time as may be specified in the notice (not being less than forty-eight hours or more than seven days from the service thereof) to appear (with or without the child) before the authority, or any committee or sub-committee to whom the function may have been delegated, and explain the reason for the absence of the child from school. If the parent fails to satisfy the authority or such committee or sub-committee that he had a reasonable excuse, the education authority or such committee or sub-committee may instruct that he be prosecuted forthwith under section twenty-eight of this Act, or may warn the parent and postpone for a period not exceeding one month a decision as to whether to prosecute.
- (3) A child shall be deemed to attend regularly at a day school if he attends every meeting of the school at which attendance is compulsory. He shall be deemed to attend regularly at a boarding school if he is present at the school throughout the school term except when he is granted leave of absence by the head teacher or by another person duly authorised by him.