

House Bill 1567

By: Representative Childers of the 13<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
2 elementary and secondary education, so as to delete an exception to the minimum age for  
3 eligibility for enrollment in kindergarten or first grade; to provide for related matters; to  
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
8 secondary education, is amended by striking Code Section 20-2-150, relating to eligibility  
9 for enrollment, and inserting in lieu thereof the following:

10 "20-2-150.

11 (a) ~~Except as otherwise provided by subsection (b) of this Code section, all~~ All children  
12 and youth who have attained the age of five years by September 1 shall be eligible for  
13 enrollment in the appropriate general education programs authorized in this part unless they  
14 attain the age of 20 by September 1 or they have received high school diplomas or the  
15 equivalent. This shall specifically include students who have reenrolled after dropping out  
16 and who are married, parents, or pregnant. Special education students shall also be eligible  
17 for enrollment in appropriate education programs through age 21 or until they receive high  
18 school or special education diplomas or the equivalent; provided, however, they were  
19 enrolled during the preceding school year and had an approved Individualized Education  
20 Program (IEP) which indicated that a successive year of enrollment was needed. Other  
21 students who have not yet attained age 21 by September 1 or received high school diplomas  
22 or the equivalent shall be eligible for enrollment in appropriate education programs,  
23 provided they have not dropped out of school for one quarter or more. Each local unit of  
24 administration shall have the authority to assign students who are married, parents, or  
25 pregnant or who have reenrolled after dropping out one quarter or more to programs of

1 instruction within its regular daytime educational program, provided that a local unit of  
2 administration may develop and implement special programs of instruction limited to such  
3 students within the regular daytime educational program or, at the option of the student, in  
4 an alternative program beyond the regular daytime program; provided, further, that such  
5 programs of instruction are designed to enable such students to earn course credit toward  
6 receiving high school diplomas. These programs may include instruction in prenatal care  
7 and child care. Each local unit of administration shall have the authority to provide  
8 alternative programs beyond the regular daytime educational program. Unless otherwise  
9 provided by law, the State Board of Education shall have the authority to determine the  
10 eligibility of students for enrollment. It is declared to be the policy of this state that general  
11 and occupational education be integrated into a comprehensive educational program which  
12 will contribute to the total development of the individual.

13 ~~(b) A child who was a legal resident of one or more other states for a period of two years~~  
14 ~~immediately prior to moving to this state and who was legally enrolled in a public~~  
15 ~~kindergarten or first grade, or a kindergarten or first grade accredited by a state or regional~~  
16 ~~association, shall be eligible for enrollment in the appropriate general or special education~~  
17 ~~programs authorized in this part if such child will attain the age of five for kindergarten or~~  
18 ~~six for first grade by December 31 and is otherwise qualified.~~

19 ~~(e)~~(b) All children enrolled for 20 school days or more in the public schools of this state  
20 prior to their seventh birthday shall become subject to all of the provisions of this article,  
21 the provisions of Code Sections 20-2-690 through 20-2-702, and the rules and regulations  
22 of the State Board of Education relating to compulsory school attendance even though they  
23 have not attained seven years of age.

24 ~~(d)~~(c) No child or youth shall be admitted to any public school of the state until the parent  
25 or guardian provides to the proper school authorities an official copy of that child's social  
26 security number which shall be incorporated into the official school records pertaining to  
27 that child or youth. Each local unit of administration shall establish and implement a plan  
28 for providing the public appropriate notice of the information required of every student  
29 under its jurisdiction prior to the beginning of each school year. School authorities may  
30 provisionally admit a child for whom an official social security number has not been  
31 provided if the parent or guardian completes a postage-paid application for a social security  
32 number at the time of enrollment. A parent or guardian who objects to the incorporation  
33 of the social security number into the school records of a child may have the requirement  
34 waived by signing a statement objecting to the requirement."

**SECTION 2.**

Said chapter is further amended in Code Section 20-2-151, relating to general and career education programs, by striking paragraphs (1) and (2) of subsection (b) and inserting in lieu thereof the following:

"(1)(A) All local school systems shall offer a full-day kindergarten program. For purposes of this subsection, the term 'full-day basis' means a student is provided classroom instruction for a minimum of four and one-half hours daily for a 180 day school year.

(B) It is the policy of this state that the purposes of the kindergarten program shall be to provide all children with an equal opportunity to become prepared for a successful first grade experience and to acquire the foundation for academic progress throughout the students' educational careers. To be eligible for enrollment in a state supported kindergarten program, a child must attain the age of five by September 1, ~~except as otherwise provided by subsection (b) of Code Section 20-2-150;~~

(2) It is the policy of this state that the purpose of the primary grades program shall be mastery by enrolled students of the essential basic skills and knowledge which will enable them to achieve more advanced skills and knowledge offered at the higher grade levels. For purposes of funding under this article, the primary grades program shall include grades one, two, and three. To be eligible for enrollment in the first grade of a state supported primary grades program, a child must attain the age of six by September 1, ~~except as otherwise provided by subsection (b) of Code Section 20-2-150.~~ The State Board of Education shall adopt an instrument or instruments, procedures, and policies necessary to assess the first grade readiness of children enrolled in Georgia's public school kindergarten programs pursuant to Code Section 20-2-281. Readiness information obtained by the instrument or instruments adopted by the state board shall be used by local school systems in concert with teacher recommendations and other relevant information to make appropriate student grade placement decisions. The Department of Education shall develop guidelines for utilization of the instrument or instruments in grade placement decisions and shall provide such guidelines to local school systems. The guidelines shall include information pertinent to consideration of the placement of students who have been identified as being disabled or limited-English-proficient. Whenever the decision is made not to promote a child to the first grade, the local school system shall document the reasons for the decision not to promote, according to guidelines established by the board. The State School Superintendent shall annually provide a report summarizing the results of the readiness of first grade Georgia public school kindergarten children. No student shall remain in kindergarten for more than two years;"

- 1 **SECTION 3.**
- 2 All laws and parts of laws in conflict with this Act are repealed.