

House Bill 179

By: Representatives Thomas of the 43<sup>rd</sup>, Post 1, Jordan of the 83<sup>rd</sup> and Greene-Johnson of the 60<sup>th</sup>, Post 3

A BILL TO BE ENTITLED  
AN ACT

1 To amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of  
2 Georgia Annotated, relating to compulsory attendance in school by students, so as change  
3 the upper age limit of children for purposes of mandatory education requirements; to change  
4 certain provisions relating to exemptions; to 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 Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia  
8 Annotated, relating to compulsory attendance in school by students, is amended by striking  
9 subsection (a) of Code Section 20-2-690.1, relating to mandatory education for children  
10 between the ages of six and 16, and inserting in lieu thereof the following:

11 "(a) Every parent, guardian, or other person residing within this state having control or  
12 charge of any child or children between their sixth and ~~sixteenth~~ seventeenth birthdays  
13 shall enroll and send such child or children to a public school, a private school, or a home  
14 study program that meets the requirements for a public school, a private school, or a home  
15 study program; and such child shall be responsible for enrolling in and attending a public  
16 school, a private school, or a home study program that meets the requirements for a public  
17 school, a private school, or a home study program under such penalty for noncompliance  
18 with this subsection as is provided in Chapter 11 of Title 15, unless the child's failure to  
19 enroll and attend is caused by the child's parent, guardian, or other person, in which case  
20 the parent, guardian, or other person alone shall be responsible; provided, however, that  
21 tests and physical exams for military service and the National Guard and such other  
22 approved absences shall be excused absences. The requirements of this subsection shall  
23 apply to a child between his or her seventh and ~~sixteenth~~ seventeenth birthdays who has  
24 been assigned by a local board of education or its delegate to attend an alternative public  
25 school program established by that local board of education, including an alternative public  
26 school program provided for in Code Section 20-2-154.1, regardless of whether such child

1 has been suspended or expelled from another public school program by that local board of  
2 education or its delegate, and to the parent, guardian, or other person residing in this state  
3 who has control or charge of such child. Nothing in this Code section shall be construed  
4 to require a local board of education or its delegate to assign a child to attend an alternative  
5 public school program rather than suspending or expelling the child."

6 **SECTION 2.**

7 Said subpart is further amended by striking Code Section 20-2-693, relating to exemptions,  
8 and inserting in lieu thereof the following:

9 "20-2-693.

10 (a) Children between their seventh and ~~sixteenth~~ seventeenth birthdays who are excused  
11 from attendance in public school by county or independent school system boards in  
12 accordance with general policies and regulations promulgated by the State Board of  
13 Education shall be exempt from this subpart. The state board, in promulgating its general  
14 policies and regulations, shall take into consideration sickness and other emergencies  
15 which may arise in any school community.

16 (b) Children between their seventh and ~~sixteenth~~ seventeenth birthdays who are excused  
17 from attendance at private schools or home study programs for sickness or emergencies or  
18 for other reasons substantially the same as the reasons for excused absences from  
19 attendance at public school authorized by state board policy pursuant to subsection (a) of  
20 this Code section shall be exempt from this subpart."

21 **SECTION 3.**

22 All laws and parts of laws in conflict with this Act are repealed.