

House Bill 854

By: Representatives Mayo of the 91st, Taylor of the 55th, and Sellier of the 136th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to educational programs under the "Quality Basic Education Act," so as
3 to provide for early admission into kindergarten or first grade for students who complete
4 pre-kindergarten or kindergarten in a private program under certain conditions; to provide
5 for assessment committees; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 3 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
10 relating to educational programs under the "Quality Basic Education Act," is amended in
11 Code Section 20-2-150, relating to eligibility for enrollment, by revising subsection (a) and
12 adding a new subsection to read as follows:

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

27 parents, or pregnant or who have reenrolled after dropping out for one quarter or more to
 28 programs of instruction within its regular daytime educational program, provided that a
 29 local unit of administration may develop and implement special programs of instruction
 30 limited to such students within the regular daytime educational program or, at the option
 31 of the student, in an alternative program beyond the regular daytime program; provided,
 32 further, that such programs of instruction are designed to enable such students to earn
 33 course credit toward receiving high school diplomas. These programs may include
 34 instruction in prenatal care and child care. Each local unit of administration shall have the
 35 authority to provide alternative programs beyond the regular daytime educational program.
 36 Unless otherwise provided by law, the State Board of Education shall have the authority
 37 to determine the eligibility of students for enrollment. It is declared to be the policy of this
 38 state that general and occupational education be integrated into a comprehensive
 39 educational program which will contribute to the total development of the individual."

40 "(b.1)(1) A child who completes kindergarten in a private school in this state which
 41 meets the requirements of subsection (b) of Code Section 20-2-690 shall be eligible for
 42 enrollment in first grade in the appropriate general or special education programs
 43 authorized in this part if such child will attain the age of six by December 31, is approved
 44 by an assessment committee pursuant to paragraph (3) of this subsection, and is otherwise
 45 qualified.

46 (2) A child who completes a pre-kindergarten program in a private school in this state
 47 which meets the following requirements shall be eligible, at the discretion of the local
 48 board of education, for early enrollment in kindergarten in the appropriate general or
 49 special education programs authorized in this part if such child will attain the age of
 50 five by December 31, is approved by an assessment committee pursuant to paragraph
 51 (3) of this subsection, and is otherwise qualified:

52 (A) The pre-kindergarten program provides at least 6.5 hours of instructional services
 53 per day;

54 (B) The pre-kindergarten program provides a school calendar comprising 190 days,
 55 which includes 180 days of service to families and ten additional days for related
 56 activities, such as pre-planning, post-planning, staff development, and in-service days;
 57 and

58 (C) The pre-kindergarten program requires each parent to send their child to the
 59 program for 6.5 hours of instructional services per day, 180 days per school year and
 60 requires parents to agree that their child may be disenrolled if chronically tardy or
 61 absent or if not picked up on time at the end of the regular school day, unless enrolled
 62 in the extended day program.

63 (3) Upon the request of a parent or guardian of a child who meets the applicable criteria
64 in paragraph (1) or (2) of this Code section, the local school system shall convene an
65 assessment committee composed of a representative of the local board of education, a
66 teacher of the school in kindergarten or first grade, as appropriate, and the parent or
67 guardian. The committee shall approve or deny the early enrollment request based on the
68 readiness of the child as determined by the committee."

69 **SECTION 2.**

70 Said part is further amended in Code Section 20-2-151, relating to general and career
71 education programs, by revising paragraph (1) of subsection (b) as follows:

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

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

82 **SECTION 3.**

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