

Senate Bill 241

By: Senators James of the 35th, Davenport of the 44th, Sims of the 12th, Stoner of the 6th,
Jackson of the 2nd and others

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 provide that the month for determining
3 eligibility ages for participation in educational programs shall be December; to repeal
4 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 in Code Section 20-2-150, relating to eligibility for
9 enrollment, by revising subsection (a) as follows:

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

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

38 SECTION 2.

39 Said chapter is further amended in Code Section 20-2-151, relating to general and career
 40 education, programs, purpose, and authorized programs, by revising subsection (b) as
 41 follows:

42 "(b) The following general and career education programs are authorized for purposes of
 43 funding under this article:

44 (1)(A) All local school systems may offer a full-day kindergarten program. For
 45 purposes of this subsection, the term 'full-day kindergarten program' means a student
 46 is provided classroom instruction for a minimum of four and one-half hours daily for
 47 a 180 day school year, or the equivalent thereof as determined in accordance with State
 48 Board of Education guidelines.

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

55 (2) It is the policy of this state that the purpose of the primary grades program shall be
 56 mastery by enrolled students of the essential basic skills and knowledge which will
 57 enable them to achieve more advanced skills and knowledge offered at the higher grade
 58 levels. For purposes of funding under this article, the primary grades program shall
 59 include grades one, two, and three. To be eligible for enrollment in the first grade of a
 60 state supported primary grades program, a child must attain the age of six by ~~September~~
 61 December 1, except as otherwise provided by subsection (b) of Code Section 20-2-150.

62 The State Board of Education shall adopt an instrument or instruments, procedures, and

63 policies necessary to assess the first grade readiness of children enrolled in Georgia's
64 public school kindergarten programs pursuant to Code Section 20-2-281. Readiness
65 information obtained by the instrument or instruments adopted by the state board shall
66 be used by local school systems in concert with teacher recommendations and other
67 relevant information to make appropriate student grade placement decisions. The
68 Department of Education shall develop guidelines for utilization of the instrument or
69 instruments in grade placement decisions and shall provide such guidelines to local
70 school systems. The guidelines shall include information pertinent to consideration of
71 the placement of students who have been identified as being disabled or
72 limited-English-proficient. Whenever the decision is made not to promote a child to the
73 first grade, the local school system shall document the reasons for the decision not to
74 promote, according to guidelines established by the board. The State School
75 Superintendent shall annually provide a report summarizing the results of the readiness
76 of first grade Georgia public school kindergarten children. No student shall remain in
77 kindergarten for more than two years;

78 (3) It is the policy of this state that the primary purposes of the middle grades program
79 shall be assuring the mastery of essential basic skills and knowledge, assisting students
80 in the transition from childhood to adolescence, and preparing students for the selection
81 of programs and courses consistent with their abilities and interests when they enter high
82 school, as well as providing an opportunity for mastery of essential but more advanced
83 skills and knowledge. For purposes of funding under this article, the middle grades
84 program shall include grades four, five, six, seven, and eight; and

85 (4)(A) It is the policy of this state that the primary purposes of the high school
86 programs shall be to prepare students for the continuation of their education beyond
87 high school and for entry into their chosen career fields as well as to prepare them to
88 take their places in society as young adults. The following high school programs for
89 grades nine, ten, 11, and 12 are authorized for purposes of funding under this article:

90 (i) The high school education program; and

91 (ii) The vocational laboratory program.

92 (B) As a reflection of the reduced teacher-student ratios and more extensive material
93 and equipment needed for effective laboratory courses compared to courses with no or
94 only limited laboratory experiences, the vocational laboratory program shall be funded
95 at a higher level than the high school general education program. The state board shall
96 adopt criteria which courses must meet in order to qualify for the vocational laboratory
97 program."

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SECTION 3.

99 Said chapter is further amended in Code Section 20-2-690.1, relating to mandatory education
100 for children between ages six and 16, by revising subsection (c) as follows:

101 "(c) Any parent, guardian, or other person residing in this state who has control or charge
102 of a child or children and who ~~shall violate~~ violates this Code section shall be guilty of a
103 misdemeanor and, upon conviction thereof, shall be subject to a fine of not less than \$25.00
104 and not greater than \$100.00, imprisonment not to exceed 30 days, community service, or
105 any combination of such penalties, at the discretion of the court having jurisdiction. Each
106 day's absence from school in violation of this part after the child's school system notifies
107 the parent, guardian, or other person who has control or charge of a child of five unexcused
108 days of absence for a child shall constitute a separate offense. After two reasonable
109 attempts to notify the parent, guardian, or other person who has control or charge of a child
110 of five unexcused days of absence without response, the school system shall send a notice
111 to such parent, guardian, or other person by certified mail, return receipt requested. Public
112 schools shall provide to the parent, guardian, or other person having control or charge of
113 each child enrolled in public school a written summary of possible consequences and
114 penalties for failing to comply with compulsory attendance under this Code section for
115 children and their parents, guardians, or other persons having control or charge of children.
116 The parent, guardian, or other person who has control or charge of a child or children shall
117 sign a statement indicating receipt of such written statement of possible consequences and
118 penalties; children who are age ten years or older by ~~September~~ December 1 shall sign a
119 statement indicating receipt of such written statement of possible consequences and
120 penalties. After two reasonable attempts by the school to secure such signature or
121 signatures, the school shall be considered to be in compliance with this subsection if it
122 sends a copy of the statement, via certified mail, return receipt requested, to such parent,
123 guardian, or other person who has control or charge of a child; or children. Public schools
124 shall retain signed copies of statements through the end of the school year."

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SECTION 4.

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