

Senate Bill 291

By: Senator Hill of the 4th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to
2 change the funding source for Georgia's Pre-K Program; to provide for student enrollment
3 counts for children in Georgia's Pre-K Program; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by
8 revising paragraph (1) of Code Section 20-1A-4, relating to the powers and duties of the
9 Department of Early Care and Learning, as follows:

10 "(1) To administer such programs and services as may be necessary for the operation and
11 management of voluntary pre-kindergarten, which shall be known as 'Georgia's Pre-K
12 Program'; provided, however, that beginning in school year 2013-2014, state funding for
13 such programs shall be provided in the same manner as the kindergarten program
14 pursuant to Code Section 20-2-161, and the available enrollment slots and approved
15 programs shall be fixed at the same levels and for the same programs which received
16 state funding under Georgia's Pre-K Program in Fiscal Year 2013, which shall only be
17 increased at the direction of the State Board of Education when additional funding is
18 made available by the General Assembly to expand Georgia's Pre-K Program;"

19 **SECTION 2.**

20 Said title is further amended by revising subsection (a) of Code Section 20-2-160, relating
21 to determination of enrollment by institutional program, as follows:

22 "(a) The State Board of Education shall designate the specific dates upon which two counts
23 of students enrolled in each instructional program authorized under this article shall be

24 made each school year and by which the counts shall be reported to the Department of
25 Education. The initial enrollment count shall be made after October 1 but prior to
26 November 17 and the final enrollment count after March 1 but prior to May 1. The report
27 shall indicate the student's specific assigned program for each one-sixth segment of the
28 school day on the designated reporting date. No program shall be indicated for a student
29 for any one-sixth segment of the school day that the student is assigned to a study hall; a
30 noncredit course; a course recognized under this article or by state board policy as an
31 enrichment course, except a driver education course; a course which requires participation
32 in an extracurricular activity for which enrollment is on a competitive basis; a course in
33 which the student serves as a student assistant to a teacher, in a school office, or in the
34 media center, except when such placement is an approved work site of a recognized career
35 or vocational program; an individual study course for which no outline of course objectives
36 is prepared in writing prior to the beginning of the course; a course taken through the
37 Georgia Virtual School pursuant to Code Section 20-2-319.1; or any other course or
38 activity so designated by the state board. For the purpose of this Code section, the term
39 'enrichment course' means a course which does not dedicate a major portion of the class
40 time toward the development and enhancement of one or more student competencies as
41 adopted by the state board under Code Section 20-2-140. A program shall not be indicated
42 for a student for any one-sixth segment of the school day for which the student is not
43 enrolled in an instructional program or has not attended a class or classes within the
44 preceding ten days; nor shall a program be indicated for a student for any one-sixth
45 segment of the school day for which the student is charged tuition or fees or is required to
46 provide materials or equipment beyond those authorized pursuant to Code Section
47 20-2-133. A student who is enrolled in an eligible institution under the program
48 established in Code Section 20-2-161.1 may be counted for the high school program for
49 only that portion of the day that the student is attending the high school for those segments
50 that are eligible to be counted under this subsection. The state board shall adopt such
51 regulations and criteria as necessary to ensure objective and true counts of students in state
52 approved instructional programs. The state board shall also establish criteria by which
53 students shall be counted as resident or nonresident students, including specific
54 circumstances which may include, but not be limited to, students attending another local
55 school system under court order or under the terms of a contract between two local school
56 systems. If a local school system has a justifiable reason, it may seek authority from the
57 state board to shift full-time equivalent program counts from the designated date to a
58 requested alternate date. Beginning in school year 2013-2014, the state board shall

59 determine enrollment counts for pre-kindergarten programs operated by local school
60 systems pursuant to Georgia's Pre-K Program. Such counts shall be fixed at the same
61 enrollment counts and for the same programs which received state funding under Georgia's
62 Pre-K Program in Fiscal Year 2013."

63 **SECTION 3.**

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