

Senate Bill 22 - Prefile

By: Senator James of the 35th

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 that 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 follows:

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

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

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

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

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

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

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

89 (i) The high school education program; and

90 (ii) The vocational laboratory program.

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

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**SECTION 3.**

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

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

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**SECTION 4.**

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