

House Bill 100

By: Representatives Dickson of the 6<sup>th</sup>, Epps of the 144<sup>th</sup>, Greene of the 151<sup>st</sup>, England of the 116<sup>th</sup>, and Coleman of the 97<sup>th</sup>

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 change provisions relating to the date by which  
3 a child must reach a certain age in order to be eligible for enrollment in certain educational  
4 programs; to provide for related matters; to provide for an effective date; to repeal conflicting  
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
9 secondary education, is amended by revising subsection (a) of Code Section 20-2-150,  
10 relating to eligibility for enrollment, as follows:

11 "(a) Except as otherwise provided by subsection (b) of this Code section, all children and  
12 youth who have attained the age of five years by ~~September 1~~ August 1 for school year  
13 2015-2016 or by June 30 for school year 2016-2017 and thereafter shall be eligible for  
14 enrollment in the appropriate general education programs authorized in this part unless they  
15 attain the age of 20 by ~~September 1~~ August 1 for school year 2015-2016 or by June 30 for  
16 school year 2016-2017 and thereafter 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, 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 age 21 by ~~September 1~~ August 1 for school year  
24 2015-2016 or by June 30 for school year 2016-2017 and thereafter or received high school  
25 diplomas or the equivalent shall be eligible for enrollment in appropriate education  
26 programs, provided they have not dropped out of school for one quarter or more. Each

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

41 **SECTION 2.**

42 Said chapter is further amended by revising subsection (b) of Code Section 20-2-151, relating  
 43 to general and career education programs, as follows:

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

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

51 (B) It is the policy of this state that the purposes of the kindergarten program shall be  
 52 to provide all children with an equal opportunity to become prepared for a successful  
 53 first grade experience and to acquire the foundation for academic progress throughout  
 54 the students' educational careers. To be eligible for enrollment in a state supported  
 55 kindergarten program, a child must attain the age of five by ~~September 1~~ August 1 for  
 56 school year 2015-2016 or by June 30 for school year 2016-2017 and thereafter, except  
 57 as otherwise provided by subsection (b) of Code Section 20-2-150;

58 (2) It is the policy of this state that the purpose of the primary grades program shall be  
 59 mastery by enrolled students of the essential basic skills and knowledge which will  
 60 enable them to achieve more advanced skills and knowledge offered at the higher grade  
 61 levels. For purposes of funding under this article, the primary grades program shall  
 62 include grades one, two, and three. To be eligible for enrollment in the first grade of a

63 state supported primary grades program, a child must attain the age of six by ~~September~~  
 64 ~~† August 1 for school year 2015-2016 or by June 30 for school year 2016-2017 and~~  
 65 ~~thereafter~~, except as otherwise provided by subsection (b) of Code Section 20-2-150. The  
 66 State Board of Education shall adopt an instrument or instruments, procedures, and  
 67 policies necessary to assess the first grade readiness of children enrolled in Georgia's  
 68 public school kindergarten programs pursuant to Code Section 20-2-281. Readiness  
 69 information obtained by the instrument or instruments adopted by the state board shall  
 70 be used by local school systems in concert with teacher recommendations and other  
 71 relevant information to make appropriate student grade placement decisions. The  
 72 Department of Education shall develop guidelines for utilization of the instrument or  
 73 instruments in grade placement decisions and shall provide such guidelines to local  
 74 school systems. The guidelines shall include information pertinent to consideration of  
 75 the placement of students who have been identified as being disabled or  
 76 limited-English-proficient. Whenever the decision is made not to promote a child to the  
 77 first grade, the local school system shall document the reasons for the decision not to  
 78 promote, according to guidelines established by the board. The State School  
 79 Superintendent shall annually provide a report summarizing the results of the readiness  
 80 of first grade Georgia public school kindergarten children. No student shall remain in  
 81 kindergarten for more than two years;

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

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

94 (i) The high school education program; and

95 (ii) The career, technical, and agricultural education laboratory program.

96 (B) As a reflection of the reduced teacher-student ratios and more extensive material  
 97 and equipment needed for effective laboratory courses compared to courses with no or  
 98 only limited laboratory experiences, the career, technical, and agricultural education  
 99 laboratory program shall be funded at a higher level than the high school general

100 education program. The state board shall adopt criteria which courses must meet in  
 101 order to qualify for the career, technical, and agricultural education laboratory  
 102 program."

103

### SECTION 3.

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

106 "(c) Any parent, guardian, or other person residing in this state who has control or charge  
 107 of a child or children and who violates this Code section shall be guilty of a misdemeanor  
 108 and, upon conviction thereof, shall be subject to a fine of not less than \$25.00 and not  
 109 greater than \$100.00, imprisonment not to exceed 30 days, community service, or any  
 110 combination of such penalties, at the discretion of the court having jurisdiction. Each day's  
 111 absence from school in violation of this part after the child's school system notifies the  
 112 parent, guardian, or other person who has control or charge of a child of five unexcused  
 113 days of absence for a child shall constitute a separate offense. After two reasonable  
 114 attempts to notify the parent, guardian, or other person who has control or charge of a child  
 115 of five unexcused days of absence without response, the school system shall send a notice  
 116 to such parent, guardian, or other person by certified mail, return receipt requested, or  
 117 first-class mail. Prior to any action to commence judicial proceedings to impose a penalty  
 118 for violating this subsection on a parent, guardian, or other person residing in this state who  
 119 has control or charge of a child or children, a school system shall send a notice to such  
 120 parent, guardian, or other person by certified mail, return receipt requested. Public schools  
 121 shall provide to the parent, guardian, or other person having control or charge of each child  
 122 enrolled in public school a written summary of possible consequences and penalties for  
 123 failing to comply with compulsory attendance under this Code section for children and  
 124 their parents, guardians, or other persons having control or charge of children. The parent,  
 125 guardian, or other person who has control or charge of a child or children shall sign a  
 126 statement indicating receipt of such written statement of possible consequences and  
 127 penalties; children who are age ten years or older by ~~September 1~~ August 1 for school year  
 128 2015-2016 or by June 30 for school year 2016-2017 and thereafter shall sign a statement  
 129 indicating receipt of such written statement of possible consequences and penalties. After  
 130 two reasonable attempts by the school to secure such signature or signatures, the school  
 131 shall be considered to be in compliance with this subsection if it sends a copy of the  
 132 statement, via certified mail, return receipt requested, or first-class mail, to such parent,  
 133 guardian, or other person who has control or charge of a child or children. Public schools  
 134 shall retain signed copies of statements through the end of the school year."

135 **SECTION 4.**

136 This Act shall become effective upon its approval by the Governor or upon its becoming law  
137 without such approval.

138 **SECTION 5.**

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