House Bill 100
By: Representatives Dickson of the 6th, Epps of the 144th, Greene of the 151st, England of the 116th, and Coleman of the 97th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to change provisions relating to the date by which a child must reach a certain age in order to be eligible for enrollment in certain educational programs; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.
Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by revising subsection (a) of Code Section 20-2-150, relating to eligibility for enrollment, as follows:

"(a) Except as otherwise provided by subsection (b) of this Code section, all children and youth who have attained the age of five years by September 1, August 1 for school year 2015-2016 or by June 30 for school year 2016-2017 and thereafter shall be eligible for enrollment in the appropriate general education programs authorized in this part unless they attain the age of 20 by September 1, August 1 for school year 2015-2016 or by June 30 for school year 2016-2017 and thereafter or they have received high school diplomas or the equivalent. This shall specifically include students who have reenrolled after dropping out and who are married, parents, or pregnant. Special education students shall also be eligible for enrollment in appropriate education programs through age 21 or until they receive high school or special education diplomas or the equivalent; provided, however, they were enrolled during the preceding school year and had an approved Individualized Education Program (IEP) which indicated that a successive year of enrollment was needed. Other students who have not yet attained age 21 by September 1, August 1 for school year 2015-2016 or by June 30 for school year 2016-2017 and thereafter or received high school diplomas or the equivalent shall be eligible for enrollment in appropriate education programs, provided they have not dropped out of school for one quarter or more. Each
local unit of administration shall have the authority to assign students who are married, parents, or pregnant or who have reenrolled after dropping out one quarter or more to programs of instruction within its regular daytime educational program, provided that a local unit of administration may develop and implement special programs of instruction limited to such students within the regular daytime educational program or, at the option of the student, in an alternative program beyond the regular daytime program; provided, further, that such programs of instruction are designed to enable such students to earn course credit toward receiving high school diplomas. These programs may include instruction in prenatal care and child care. Each local unit of administration shall have the authority to provide alternative programs beyond the regular daytime educational program. Unless otherwise provided by law, the State Board of Education shall have the authority to determine the eligibility of students for enrollment. It is declared to be the policy of this state that general and occupational education be integrated into a comprehensive educational program which will contribute to the total development of the individual."

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

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

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

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

(2) It is the policy of this state that the purpose of the primary grades program shall be mastery by enrolled students of the essential basic skills and knowledge which will enable them to achieve more advanced skills and knowledge offered at the higher grade levels. For purposes of funding under this article, the primary grades program shall include grades one, two, and three. To be eligible for enrollment in the first grade of a
state supported primary grades program, a child must attain the age of six by September
August 1 for school year 2015-2016 or by June 30 for school year 2016-2017 and
thereafter, except as otherwise provided by subsection (b) of Code Section 20-2-150. The
State Board of Education shall adopt an instrument or instruments, procedures, and
policies necessary to assess the first grade readiness of children enrolled in Georgia's
public school kindergarten programs pursuant to Code Section 20-2-281. Readiness
information obtained by the instrument or instruments adopted by the state board shall
be used by local school systems in concert with teacher recommendations and other
relevant information to make appropriate student grade placement decisions. The
Department of Education shall develop guidelines for utilization of the instrument or
instruments in grade placement decisions and shall provide such guidelines to local
school systems. The guidelines shall include information pertinent to consideration of
the placement of students who have been identified as being disabled or
limited-English-proficient. Whenever the decision is made not to promote a child to the
first grade, the local school system shall document the reasons for the decision not to
promote, according to guidelines established by the board. The State School
Superintendent shall annually provide a report summarizing the results of the readiness
of first grade Georgia public school kindergarten children. No student shall remain in
kindergarten for more than two years;

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

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

(i) The high school education program; and

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

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

SECTION 3.

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

"(c) Any parent, guardian, or other person residing in this state who has control or charge of a child or children and who violates this Code section shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not less than $25.00 and not greater than $100.00, imprisonment not to exceed 30 days, community service, or any combination of such penalties, at the discretion of the court having jurisdiction. Each day's absence from school in violation of this part after the child's school system notifies the parent, guardian, or other person who has control or charge of a child of five unexcused days of absence for a child shall constitute a separate offense. After two reasonable attempts to notify the parent, guardian, or other person who has control or charge of a child of five unexcused days of absence without response, the school system shall send a notice to such parent, guardian, or other person by certified mail, return receipt requested, or first-class mail. Prior to any action to commence judicial proceedings to impose a penalty for violating this subsection on a parent, guardian, or other person residing in this state who has control or charge of a child or children, a school system shall send a notice to such parent, guardian, or other person by certified mail, return receipt requested. Public schools shall provide to the parent, guardian, or other person having control or charge of each child enrolled in public school a written summary of possible consequences and penalties for failing to comply with compulsory attendance under this Code section for children and their parents, guardians, or other persons having control or charge of children. The parent, guardian, or other person who has control or charge of a child or children shall sign a statement indicating receipt of such written statement of possible consequences and penalties; children who are age ten years or older by September 1, August 1 for school year 2015-2016 or by June 30 for school year 2016-2017 and thereafter shall sign a statement indicating receipt of such written statement of possible consequences and penalties. After two reasonable attempts by the school to secure such signature or signatures, the school shall be considered to be in compliance with this subsection if it sends a copy of the statement, via certified mail, return receipt requested, or first-class mail, to such parent, guardian, or other person who has control or charge of a child or children. Public schools shall retain signed copies of statements through the end of the school year."
SECTION 4.

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

SECTION 5.

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