

House Bill 100 (COMMITTEE SUBSTITUTE)

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

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 2017-2018 or by July 1 for school year 2018-2019 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 2017-2018 or by July 1 for
16 school year 2018-2019 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 2017-2018 or by July 1 for school year 2018-2019 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 2017-2018 or by July 1 for school year 2018-2019 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 2017-2018 or by July 1 for school year 2018-2019 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 2017-2018 or by July 1 for school year 2018-2019 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.