

House Bill 530 (AS PASSED HOUSE AND SENATE)

By: Representatives Hitchens of the 161st, Burns of the 159th, and Stephens of the 164th

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to students in elementary and secondary education, so as to provide for additional
3 requirements with regard to declarations of intent for home study programs; to provide for
4 referrals to the Division of Family and Children Services of the Department of Human
5 Services; to provide for related matters; to provide for legislative intent; to repeal conflicting
6 laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 It is the intent of the General Assembly to prevent parents or guardians from withdrawing
10 or removing a child from a public school for the purpose of taking active steps to evade
11 detection of child abuse and neglect.

12 **SECTION 2.**

13 Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
14 students in elementary and secondary education, is amended by revising paragraph (1) of
15 subsection (c) of Code Section 20-2-690, relating to education entities and requirements for
16 private schools and home study programs, as follows:

17 "(1) The parent, parents, or guardian must submit within 30 days after the establishment
18 of a home study program and by September 1 annually thereafter a declaration of intent
19 to utilize a home study program to the Department of Education, which shall provide for
20 written or electronic submittal of such declaration of intent. The Department of
Education shall provide a copy of such declarations to the local school systems in which
22 the home study programs are located;"

23

SECTION 3.

24 Said article is further amended by adding a new part to read as follows:

25

"Part 526 20-2-785.

27 In the event that a child is withdrawn from a public school without a declaration filed
28 pursuant to Code Section 20-2-690 and that child stops attending a public school for a
29 period of 45 days, the school shall refer the matter to the Division of Family and Children
30 Services of the Department of Human Services to conduct an assessment. The purpose of
31 such referral and assessment shall be limited to determining whether such withdrawal was
32 to avoid educating the child. Presentation of a copy of such filed declaration shall satisfy
33 the assessment, and the Division shall immediately terminate the assessment under this
34 Code section."

35

SECTION 4.

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