

Senate Bill 438

By: Senators Payne of the 54th, Hickman of the 4th, Hufstetler of the 52nd, Burns of the 23rd, Still of the 48th and others

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 reduce the beginning age for compulsory
3 school attendance from six years to five years; to provide for all children to attend a full-day
4 kindergarten program for one school year prior to enrolling in first grade; to provide for
5 applicability of compulsory school attendance laws and rules; to provide for related matters;
6 to provide for contingent effectiveness; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

12 "(c) All children enrolled for 20 school days or more in the public schools of this state
13 prior to their ~~seventh~~ fifth birthday shall become subject to all of the provisions of this
14 article, the provisions of Code Sections 20-2-690 through 20-2-701, and the rules and
15 regulations of the State Board of Education relating to compulsory school attendance even
16 though they have not attained ~~seven~~ five years of age."

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17 **SECTION 2.**

18 Said chapter is further amended in Code Section 20-2-151, relating to general and career
19 education programs, by revising paragraph (1) of subsection (b) as follows:

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

25 (B) Except as otherwise provided by law, all children shall attend a full-day
26 kindergarten program for one school year prior to enrolling in first grade. The purposes
27 of such ~~It is the policy of this state that the purposes of the kindergarten~~ program shall
28 be to provide all children with an equal opportunity to become prepared for a successful
29 first grade experience and to acquire the foundation for academic progress throughout
30 the students' educational careers. To be eligible for enrollment in a state supported
31 kindergarten program, a child must attain the age of five by September 1, except as
32 otherwise provided by subsection (b) of Code Section 20-2-150;"

33 **SECTION 3.**

34 Said chapter is further amended in Code Section 20-2-690.1, relating to compulsory
35 education for children between ages six and 16 and voluntary withdrawal, by revising
36 subsection (b) as follows:

37 "(b) Each child in this state shall be required to attend a public school, a private school, or
38 a home study program between his or her ~~sixth~~ fifth and sixteenth birthdays. Such
39 compulsory attendance shall not apply to any child who has successfully completed all
40 requirements for a high school diploma or state approved high school equivalency (HSE)
41 diploma."

42 **SECTION 4.**

43 This Act shall become effective only upon the effective date of a specific appropriation of
44 funds for purposes of this Act, as expressed in a line item making specific reference to such
45 Act in a General Appropriations Act enacted by the General Assembly.

46 **SECTION 5.**

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