

Senate Bill 513

By: Senators Dickerson of the 21st, Walker III of the 20th, Anavitarte of the 31st, Hickman of the 4th, Dixon of the 45th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 2 of Title 20 and Chapter 5 of Title 40 of the Official Code of Georgia
2 Annotated, relating to elementary and secondary education and drivers' licenses, respectively,
3 so as to revise requirements for public school policies and procedures relative to student
4 attendance; to provide for multi-tier supports and interventions; to revise provisions relative
5 to attendance review teams; to provide for attendance intervention plans; to provide for
6 consequences for chronically unexcused students, such as ineligibility for interscholastic and
7 extracurricular activities and potential ineligibility to be issued an instruction permit or
8 driver's license by the Department of Driver Services; to make conforming changes; to
9 provide for definitions; to provide a short title; to provide for related matters; to provide for
10 an effective date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 SECTION 1.

13 This Act shall be known and may be cited as the "Every Day Counts Act."

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SECTION 2.

15 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
 16 secondary education, is amended in Part 15 of Article 6, relating to miscellaneous provisions
 17 under the "Quality Basic Education Act," by revising subsection (f) of Code Section
 18 20-2-320, relating to state-wide comprehensive educational information system and
 19 identification of data to implement Quality Basic Education Program, as follows:

20 "(f) Notwithstanding any other provision of law, the Department of Education is authorized
 21 to and shall obtain and provide to the Department of Driver Services, in a form to be agreed
 22 upon between the Department of Education and the Department of Driver Services,
 23 enrollment, expulsion, ~~and suspension,~~ and noncompliance with attendance intervention
 24 plan information regarding minors 15 through 17 years of age reported pursuant to Code
 25 Sections 20-2-690, ~~20-2-690.3,~~ and 20-2-697, to be used solely for the purposes set forth
 26 in subsection (a.1) of Code Section 40-5-22."

27

SECTION 3.

28 Said chapter is further amended in Subpart 2 of Part 1 of Article 16, relating to compulsory
 29 attendance, by revising Code Section 20-2-690.3, relating to chronically absent students and
 30 attendance review teams, as follows:

31 "20-2-690.3.

32 (a) As used in this subpart, the term:

33 (1) 'Attendance intervention plan' or 'plan' means a plan approved by an attendance
 34 review team for a chronically unexcused student.

35 ~~(1)(2)~~ (2) 'Attendance review team' means a team of individuals provided for in subsection
 36 (c) of this Code section.

37 ~~(2)(3)~~ (3) 'Chronically absent' means the attendance status of a student whose total number
 38 of absences, whether excused or unexcused, at any time during a school year is equal to
 39 or greater than 10 percent of the total number of school days that such student has been

40 enrolled at the same school or within the same local school system during the current
41 school year excepting such student's first day of enrollment.

42 ~~(3) 'Local school system chronic absenteeism rate' means the number of students enrolled~~
43 ~~in a local school system who were chronically absent during the previous school year~~
44 ~~divided by the total number of students enrolled in such local school system during such~~
45 ~~school year.~~

46 (4) 'Chronically unexcused student' means a student whose total number of unexcused
47 absences:

48 (A) Exceeds five during the first 50 days of the school year; or

49 (B) After the 50th school day, is equal to or greater than 10 percent of the total number
50 of school days that have occurred during the school year to date.

51 (5) 'Extracurricular activities' means public school-sponsored activities in which students
52 take part on a voluntary basis; which do not offer or provide school or course credits;
53 which are generally conducted outside regular school hours or, if conducted in whole or
54 in part during regular school hours, at times agreed to by the participants and approved
55 by a school official; and which are managed and operated under the guidance of a
56 teacher, other school employee, or other adult approved by a school official. Examples
57 of extracurricular activities include but are not limited to intramural and interscholastic
58 athletics; band, chorus, and other musical activities; drama and other theatrical activities;
59 and clubs and organizations as defined in subsection (a) of Code Section 20-2-705.

60 (6) 'Interscholastic activities' means extracurricular activities, public school-sponsored
61 athletic programs, and other public school-sponsored programs that are sanctioned or
62 supported by a state-wide interscholastic activities governing body, including but not
63 limited to an athletic association.

64 ~~(4)~~(7) 'School chronic absenteeism rate' means the number of students enrolled in a
65 school who were chronically absent during the previous school year divided by the total
66 number of students enrolled in such school during such school year.

67 (b)(1) Each local school system shall establish policies and procedures to effectively and
68 continuously identify and provide appropriate supports and incentives to all students,
69 including, but not limited to, students who are chronically absent or at risk of becoming
70 chronically absent, ~~including, but not limited to,~~ Such policies and procedures shall, at
71 a minimum, provide for:

72 (A) A multi-tier framework to provide appropriate supports and incentives to student
73 attendance with:

74 (i) Tier 1 providing for school-wide supports and strategies to promote good
75 attendance for all students and their families;

76 (ii) Tier 2 providing for targeted supports for students who are at risk of becoming
77 chronically unexcused students and their families; and

78 (iii) Tier 3 providing for individualized attendance intervention plans for chronically
79 unexcused students;

80 (B) Attendance for attendance review teams;

81 (C) Attendance intervention and for intervention plans for such chronically unexcused
82 students, and their parents or guardians Such plans shall be in writing and shall be
83 developed by an attendance review team. The attendance review team shall seek input
84 from the student and his or her parent or guardian before approving a plan. The student
85 shall be required to sign a receipt acknowledging the plan, and a copy of the plan and
86 such receipt shall be provided to the student and his or her parent or guardian;

87 (D) Designating chronically unexcused students as ineligible to participate in
88 extracurricular activities and interscholastic activities until such time as the student and
89 his or her parent or guardian have met in person or virtually with the local school
90 system attendance review team or the school attendance review team, if the school has
91 an attendance review team, for the purpose of developing and entering into an
92 attendance intervention plan or modifying an existing plan;

93 (E) Regularly updating student attendance records with current information regarding
94 a student's compliance or noncompliance with an attendance intervention plan; and
95 (F) Submitting a notice of noncompliance with an attendance intervention plan to the
96 Department of Education for each chronically unexcused student who has failed to
97 comply with a plan that was approved by an attendance review team and provided in
98 writing to the student and his or her parent or guardian in accordance with subparagraph
99 (C) of this paragraph. The Department of Education shall be authorized to provide
100 information contained in such notice of noncompliance to the Department of Driver
101 Services solely for the purposes set forth in subsection (a.1) of Code Section 40-5-22.

102 (2) Each local school system ~~that shall:~~

103 ~~(A) Has a local school system chronic absenteeism rate of 10 percent or higher shall~~
104 ~~establish~~ Establish an attendance review team for the local school system; and

105 ~~(B) Has~~ Establish an attendance review team for each school ~~one or more schools~~ with
106 a school chronic absenteeism rate of 15 percent or higher ~~shall establish an attendance~~
107 ~~review team for each such school.~~

108 (c)(1) Each attendance review team established under ~~the~~ this Code section shall meet
109 at least once monthly and shall be responsible for reviewing the individual cases of
110 students who are chronically absent and developing attendance intervention plans for
111 such students ~~and their parents or guardians~~; provided, however, that a local school
112 system attendance review team shall be authorized to work in conjunction with school
113 attendance review teams.

114 (2) Attendance review teams established under this subsection may consist of school
115 administrators, school counselors, school social workers, teachers, other school
116 personnel, and the parents or guardians of such students who are chronically absent."

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SECTION 4.

118 Said chapter is further amended in said subpart by revising subsection (a) of Code Section
119 20-2-697, relating to cooperation of principals and teachers in public schools with visiting
120 teachers and attendance officers, attendance reports and records kept by public schools, and
121 letter indicating enrollment, as follows:

122 "(a) Visiting teachers and attendance officers shall receive the cooperation and assistance
123 of all teachers and principals of public schools in the local school systems within which
124 they are appointed to serve. It shall be the duty of the principals or local school site
125 administrators and of the teachers of all public schools to report, in writing, to the visiting
126 teacher or attendance officer of the local school system the names, ages, and residences of
127 all students in attendance at their schools and classes within 30 days after the beginning of
128 the school term or terms and to make such other reports of attendance in their schools or
129 classes as may be required by rule or regulation of the State Board of Education. All public
130 schools shall keep daily records of attendance, verified by the teachers certifying such
131 records. Such reports shall be open to inspection by the visiting teacher, attendance officer,
132 or duly authorized representative at any time during the school day. Any such attendance
133 records and reports which identify students by name shall be used only for the purpose of
134 providing necessary attendance information required by the state board or by law, except
135 with the permission of the parent or guardian of a child, pursuant to the subpoena of a court
136 of competent jurisdiction, or for verification of enrollment and compliance with attendance
137 intervention plans by the Department of Driver Services for the purposes set forth in
138 subsection (a.1) of Code Section 40-5-22. Such attendance records shall also be
139 maintained in a format which does not identify students by name, and in this format shall
140 be a part of the data collected for the student record component of the state-wide
141 comprehensive educational information system pursuant to subsection (b) of Code Section
142 20-2-320."

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SECTION 5.

144 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,
145 is amended in Article 2, relating to issuance, expiration, and renewal of licenses, by revising
146 subsection (a.1) of Code Section 40-5-22, relating to issuance of instruction permit or driver's
147 license to person under 18 years of age and persons not to be licensed, as follows:

148 "(a.1)(1) The department shall not issue an instruction permit or driver's license to a
149 person who is younger than 18 years of age unless at the time such minor submits an
150 application for an instruction permit or driver's license the applicant presents acceptable
151 proof that he or she has received a high school diploma, a state approved high school
152 equivalency (HSE) diploma, a special diploma, or a certificate of high school completion
153 or has terminated his or her secondary education and is enrolled in a postsecondary
154 school, is pursuing a state approved high school equivalency (HSE) diploma, or the
155 records of the department indicate that said applicant:

156 (A) Is enrolled in and not under expulsion from a public or private school; ~~or~~

157 (B) Is compliant with an attendance intervention plan provided for in Code Section
158 20-2-690.3; or

159 (C) Is enrolled in a home education program that satisfies the reporting requirements
160 of all state laws governing such program.

161 The department shall notify such minor of his or her ineligibility for an instruction permit
162 or driver's license at the time of such application.

163 (2) The State Board of Education and the commissioner of driver services are authorized
164 to promulgate rules and regulations to implement the provisions of this subsection.

165 (3) The Technical College System of Georgia shall be responsible for compliance and
166 noncompliance data for students pursuing a state approved high school equivalency
167 (HSE) diploma."

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SECTION 6.

169 This Act shall become effective on January 1, 2027.

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SECTION 7.

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