

The House Committee on Education offers the following substitute to SB 513:

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 provide for an exception; to make
9 conforming changes; to provide for definitions; to provide a short title; to provide for related
10 matters; to provide for 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."

14 **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. Such term
57 shall not include any activity designated by the local school system or public school as
58 a cocurricular activity.

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

63 ~~(4)~~(7) 'School chronic absenteeism rate' means the number of students enrolled in a
64 school who were chronically absent during the previous school year divided by the total
65 number of students enrolled in such school during such school year.

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

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

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

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

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

79 (B) Attendance for attendance review teams;

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

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

- 92 (E) Regularly updating student attendance records with current information regarding
93 a student's compliance or noncompliance with an attendance intervention plan; and
94 (F) Submitting a notice of noncompliance with an attendance intervention plan to the
95 Department of Education for each chronically unexcused student who has failed to
96 comply with a plan that was approved by an attendance review team and provided in
97 writing to the student and his or her parent or guardian in accordance with subparagraph
98 (C) of this paragraph.
- 99 (2) Each local school system ~~that shall:~~
- 100 (A) ~~Has a local school system chronic absenteeism rate of 10 percent or higher shall~~
101 ~~establish~~ Establish an attendance review team for the local school system; and
- 102 (B) ~~Has~~ Establish an attendance review team for each school ~~one or more schools~~ with
103 a school chronic absenteeism rate of 15 percent or higher ~~shall establish an attendance~~
104 ~~review team for each such school.~~
- 105 (c)(1) Each attendance review team established under ~~the~~ this Code section shall meet
106 at least once monthly and shall be responsible for reviewing the individual cases of
107 students who are chronically absent and developing attendance intervention plans for
108 such students ~~and their parents or guardians~~; provided, however, that a local school
109 system attendance review team shall be authorized to work in conjunction with school
110 attendance review teams.
- 111 (2) Attendance review teams established under this subsection may consist of school
112 administrators, school counselors, school social workers, teachers, other school
113 personnel, and the parents or guardians of such students who are chronically absent.
- 114 (d) By July 1, 2027, the State Board of Education shall approve model policies and
115 guidance materials to assist local school systems and public schools with establishing
116 policies and procedures that meet the requirements of subsection (b) of this Code section.
117 Such guidance materials shall address common scenarios and frequently asked questions
118 for attendance review teams.

119 (e) This Code section shall not apply to students enrolled in a completion special school
120 established pursuant to Article 31C of this chapter."

121 **SECTION 4.**

122 Said chapter is further amended in said subpart by revising subsection (a) of Code Section
123 20-2-697, relating to cooperation of principals and teachers in public schools with visiting
124 teachers and attendance officers, attendance reports and records kept by public schools, and
125 letter indicating enrollment, as follows:

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

145 comprehensive educational information system pursuant to subsection (b) of Code Section
 146 20-2-320."

147 **SECTION 5.**

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

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

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

161 (B) Is not the subject of an attendance intervention plan provided for in Code Section
 162 20-2-690.3, or, if he or she is the subject of such a plan, he or she is currently compliant
 163 with such plan; or

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

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

168 (2) The State Board of Education and the commissioner of driver services are authorized
 169 to promulgate rules and regulations to implement the provisions of this subsection. Such
 170 rules and regulations promulgated by the commissioner of driver services shall require

171 the department to accept a notarized school enrollment certification form as proof that
172 an applicant meets the requirements set forth in subparagraphs (A) and (B) of paragraph
173 (1) of this subsection. Such school enrollment certification form shall be made available
174 by the department on its website by July 1, 2027.

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

178 **SECTION 6.**

179 This Act shall become effective on July 1, 2027.

180 **SECTION 7.**

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