

House Bill 940

By: Representatives Kennard of the 102nd, Lopez Romero of the 99th, Clark of the 108th, McLeod of the 105th, Carter of the 92nd, 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 provide for mandatory pre-kindergarten and
3 kindergarten for all children prior to entering into first grade; to lower the age of compulsory
4 school attendance from six years old to four years old; to provide for related matters; to
5 provide for contingent effectiveness; to repeal conflicting 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 in Code Section 20-2-150, relating to eligibility for
10 enrollment for educational programs, by revising subsection (c) as follows:

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

16 **SECTION 2.**

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

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

24 (B) It is the policy of this state that all children shall attend Georgia's Pre-K Program
25 within the meaning of Article 1 of Chapter 1A of this title or a home school program

26 within the meaning of Code Section 20-2-690 for one school year prior to enrolling in
 27 a full-day kindergarten program; that all children shall attend a full-day kindergarten
 28 program for one school year prior to enrolling in first grade; and that the purposes of
 29 Georgia's Pre-K Program and the kindergarten program programs shall be to provide
 30 all children with an equal opportunity to become prepared for a successful first grade
 31 experience and to acquire the foundation for academic progress throughout the students'
 32 educational careers. To be eligible for enrollment in ~~a state supported~~ Georgia's Pre-K
 33 Program, a child must attain the age of four by September 1; and to be eligible for
 34 enrollment in a state supported kindergarten program, a child must attain the age of five
 35 by September 1, except as otherwise provided by subsection (b) of Code Section
 36 20-2-150;"

37 **SECTION 3.**

38 Said chapter is further amended in Code Section 20-2-690.1, relating to mandatory education
 39 for children between the ages of six and 16, by revising subsection (a) as follows:

40 "(a) Mandatory attendance in Georgia's Pre-K Program within the meaning of Article 1 of
 41 Chapter 1A of this title or a home school program as provided for in this subpart shall be
 42 required for children who attain the age of four by September 1. Mandatory attendance in
 43 a public school, private school, or home school program shall be required for children
 44 between their ~~sixth~~ fifth and sixteenth birthdays, except that any child who attains the age
 45 of five while enrolled in Georgia's Pre-K Program shall not be required to attend a public
 46 school, private school, or home school program until the following school year. Such
 47 mandatory attendance shall not be required where the child has successfully completed all
 48 requirements for a high school diploma."

49 **SECTION 4.**

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

53 **SECTION 5.**

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