

House Bill 1048

By: Representatives Hilton of the 48<sup>th</sup>, Efstoration of the 104<sup>th</sup>, Jones of the 47<sup>th</sup>, Donatucci of the 105<sup>th</sup>, Reeves of the 99<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the  
2 "Quality Basic Education Act," so as to require the State Board of Education to adopt criteria  
3 for assessment and placement of students who are eligible for initial public school enrollment  
4 in first grade; to provide for parents and guardians of such students to elect for their children  
5 to be enrolled in kindergarten rather than first grade; to require the State Board of Education  
6 to adopt a model policy; to require local boards of education and other public school  
7 governing bodies to adopt placement and promotion policies; to provide for implementation;  
8 to provide for construction; to provide for related matters; to provide for an effective date and  
9 applicability; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality  
13 Basic Education Act," is amended in Part 3, relating to educational programs, by revising  
14 Code Section 20-2-151, relating to general and career education programs, purpose, and  
15 authorized programs, as follows:

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16 "20-2-151.

17 (a) The primary purpose for the general and career education programs is to provide the  
18 children and youth of Georgia with a quality opportunity to master uniformly sequenced  
19 content standards adopted by the State Board of Education.

20 (b) The following general and career education programs are authorized for purposes of  
21 funding under this article:

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

27 (B) It is the policy of this state that the purposes of the kindergarten program shall be  
28 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 (2) It is the policy of this state that the purpose of the primary grades program shall be  
34 mastery by enrolled students of the essential basic skills and knowledge which will  
35 enable them to achieve more advanced skills and knowledge offered at the higher grade  
36 levels. For purposes of funding under this article, the primary grades program shall  
37 include grades one, two, and three. To be eligible for enrollment in the first grade of a  
38 state supported primary grades program, a child must attain the age of six by  
39 September 1, except as otherwise provided by subsection (b) of Code Section 20-2-150.  
40 The State Board of Education shall adopt an instrument or instruments, procedures, and  
41 policies necessary to assess the first grade readiness of children enrolled in Georgia's  
42 public school kindergarten programs pursuant to Code Section 20-2-281. Readiness

information obtained by the instrument or instruments adopted by the state board shall be used by local school systems in concert with teacher recommendations and other relevant information to make appropriate student grade placement decisions. The Department of Education shall develop guidelines for utilization of the instrument or instruments in grade placement decisions and shall provide such guidelines to local school systems. The guidelines shall include information pertinent to consideration of the placement of students who have been identified as being disabled or limited-English-proficient. Whenever the decision is made not to promote a child to the first grade, the local school system shall document the reasons for the decision not to promote, according to guidelines established by the board. The State School Superintendent may annually provide a report summarizing the results of the readiness of first grade Georgia public school kindergarten children. No student shall remain in kindergarten for more than two years;

(3) It is the policy of this state that the primary purposes of the middle grades program shall be assuring the mastery of essential basic skills and knowledge, assisting students in the transition from childhood to adolescence, and preparing students for the selection of programs and courses consistent with their abilities and interests when they enter high school, as well as providing an opportunity for mastery of essential but more advanced skills and knowledge. For purposes of funding under this article, the middle grades program shall include grades four, five, six, seven, and eight; and

(4)(A) It is the policy of this state that the primary purposes of the high school programs shall be to prepare students for the continuation of their education beyond high school and for entry into their chosen career fields as well as to prepare them to take their places in society as young adults. The following high school programs for grades nine, ten, 11, and 12 are authorized for purposes of funding under this article:

- (i) The high school education program; and
- (ii) The career, technical, and agricultural education laboratory program.

(B) As a reflection of the reduced teacher-student ratios and more extensive material and equipment needed for effective laboratory courses compared to courses with no or only limited laboratory experiences, the career, technical, and agricultural education laboratory program shall be funded at a higher level than the high school general education program. The state board shall adopt criteria which courses must meet in order to qualify for the career, technical, and agricultural education laboratory program.

(c) Nothing in this Code section or in Code Section 20-2-150 shall be construed or applied by a local unit of administration to support any policy or practice of enrolling a student in a state supported kindergarten program or the first grade of a state supported primary grades program exclusively on the basis of such student's age or date of birth."

## SECTION 2.

Said article is further amended in Part 12, relating to effectiveness of educational programs, by revising subsection (a) and adding a new subsection to Code Section 20-2-283, relating to criteria, specific requirements for students in grades three, five, and eight, and implementation, to read as follows:

"(a) No later than ~~January 1, 2002~~ July 1, 2026, the State Board of Education shall adopt criteria for the development of a placement and promotion policy by each local board of education consistent with the Georgia Academic Placement and Promotion Policy."

"(b.1) Such criteria as adopted by the State Board of Education shall require the following for each student enrolling in a state supported education program for the first time who, by virtue of his or her age and date of birth, is eligible for enrollment in the first grade of a state supported primary grades program pursuant to Code Section 20-2-150 or 20-2-151:

(1) Each such student shall be assessed for first grade readiness by the local school system or public school utilizing the instrument or instruments, procedures, and policies adopted by the State Board of Education in concert with teacher recommendations and

95 other relevant information to make an appropriate student grade enrollment decision as  
96 provided for in Code Section 20-2-151; and  
97 (2) Notwithstanding the results of the assessment provided for in paragraph (1) of this  
98 subsection, each such student shall be enrolled in a state supported kindergarten program  
99 at the request of his or her parent or guardian."

### 100 SECTION 3.

101 Said part is further amended by revising Code Section 20-2-284, relating to criteria for local  
102 boards of education and model placement and promotion policy, as follows:

103 "20-2-284.

104 (a) No later than ~~July 1, 2003~~ July 15, 2026, each local board of education and other public  
105 school governing body shall develop and adopt a placement and promotion policy in  
106 accordance with the criteria established by the State Board of Education as provided in  
107 Code Section 20-2-283 and consistent with the Georgia Academic Placement and  
108 Promotion Policy.

109 (b) Except for those end-of-grade assessments specified in Code Section 20-2-283, the  
110 placement and promotion policy as developed and adopted by each local board of  
111 education and other public school governing body shall state how the end-of-grade  
112 assessments administered under Code Section 20-2-281 for grades one through eight will  
113 be weighted or otherwise utilized by the school principal or the principal's designee in  
114 determining the overall academic achievement of a student and an appropriate plan of  
115 accelerated, differentiated, or additional instruction, placement, promotion, or retention of  
116 a student.

117 (c) To assist each local board of education and other public school governing bodies, the  
118 State Board of Education shall develop by no later than July 1, 2026, a model placement  
119 and promotion policy which may be utilized by a local ~~board~~ boards of education and other  
120 public school governing bodies."

**SECTION 4.**

Said part is further amended by revising Code Section 20-2-285, relating to timetable for implementation of policy, as follows:

"20-2-285.

The State Board of Education shall provide for a timetable of implementation of this Code section and the Georgia Academic Placement and Promotion Policy which shall include:

(1) The third grade beginning with the 2003-2004 school year;

(2) The fifth grade beginning with the 2004-2005 school year; ~~and~~

(3) The eighth grade beginning with the 2005-2006 school year; and

(4) Kindergarten and first grade beginning with the 2026-2027 school year."

**SECTION 5.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval, and shall apply to all school years beginning with the 2026-2027 school year.

**SECTION 6.**

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