

Senate Bill 521

By: Senators Weber of the 40th, Williams of the 19th, Rogers of the 21st, Cowser of the 46th and Smith of the 52nd

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to financing under the "Quality Basic Education Act," so as to provide
3 for enrollment counts for students in certain dual enrollment programs; to provide for
4 requirements for weighting of students in certain dual enrollment courses under the Quality
5 Basic Education Formula; to amend Code Section 20-2-2090 of the Official Code of Georgia
6 Annotated, relating to funding for commission charter schools, so as to authorize the Georgia
7 Charter Schools Commission to reduce state funding to commission charter schools
8 providing virtual instruction based on factors that affect the cost of providing such
9 instruction; to provide for related matters; to repeal conflicting laws; and for other purposes.

10 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

11 **SECTION 1.**

12 Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
13 relating to financing under the "Quality Basic Education Act," is amended by revising
14 subsection (a) of Code Section 20-2-160, relating to determination of enrollment by
15 instructional program, as follows:

16 "(a) The State Board of Education shall designate the specific dates upon which two counts
17 of students enrolled in each instructional program authorized under this article shall be
18 made each school year and by which the counts shall be reported to the Department of
19 Education. The initial enrollment count shall be made after October 1 but prior to
20 November 17 and the final enrollment count after March 1 but prior to May 1. The report
21 shall indicate the student's specific assigned program for each one-sixth segment of the
22 school day on the designated reporting date. No program shall be indicated for a student
23 for any one-sixth segment of the school day that the student is assigned to a study hall; a
24 noncredit course; a course recognized under this article or by state board policy as an
25 enrichment course, except a driver education course; a course which requires participation

26 in an extracurricular activity for which enrollment is on a competitive basis; a course in
 27 which the student serves as a student assistant to a teacher, in a school office, or in the
 28 media center, except when such placement is an approved work site of a recognized career
 29 or vocational program; an individual study course for which no outline of course objectives
 30 is prepared in writing prior to the beginning of the course; a course taken through the
 31 Georgia Virtual School pursuant to Code Section 20-2-319.1; or any other course or
 32 activity so designated by the state board. For the purpose of this Code section, the term
 33 'enrichment course' means a course which does not dedicate a major portion of the class
 34 time toward the development and enhancement of one or more student competencies as
 35 adopted by the state board under Code Section 20-2-140. A program shall not be indicated
 36 for a student for any one-sixth segment of the school day for which the student is not
 37 enrolled in an instructional program or has not attended a class or classes within the
 38 preceding ten days; nor shall a program be indicated for a student for any one-sixth
 39 segment of the school day for which the student is charged tuition or fees or is required to
 40 provide materials or equipment beyond those authorized pursuant to Code Section
 41 20-2-133. A student who is enrolled in an eligible institution under the program
 42 established in Code Section 20-2-161.1 may be counted for the high school program for
 43 only that portion of the day that the student is attending the high school for those segments
 44 that are eligible to be counted under this subsection. A student who is enrolled in a dual
 45 enrollment program other than as established in Code Section 20-2-161.1 shall be counted
 46 for the high school program or other appropriate program for each segment in which the
 47 student is attending a postsecondary course conducted at a facility operated by the local
 48 board of education, at a charter school as defined in paragraph (13) of Code Section
 49 20-2-2062, or at a commission charter school as defined in paragraph (2) of Code Section
 50 20-2-2081. The state board shall adopt such regulations and criteria as necessary to ensure
 51 objective and true counts of students in state approved instructional programs. The state
 52 board shall also establish criteria by which students shall be counted as resident or
 53 nonresident students, including specific circumstances which may include, but not be
 54 limited to, students attending another local school system under court order or under the
 55 terms of a contract between two local school systems. If a local school system has a
 56 justifiable reason, it may seek authority from the state board to shift full-time equivalent
 57 program counts from the designated date to a requested alternate date."

58

SECTION 2.

59 Said part is further amended in Code Section 20-2-161, relating to the Quality Basic
 60 Education Formula, by adding a new subsection to read as follows:

61 "(c.1) For purposes of calculating the annual allotment of funds to each local school
62 system, a student who is enrolled in a dual enrollment program other than as established
63 in Code Section 20-2-161.1 shall be counted for the high school program or other
64 appropriate program for each segment in which the student is attending a postsecondary
65 course conducted at a facility operated by the local board of education, at a charter school
66 as defined in paragraph (13) of Code Section 20-2-2062, or at a commission charter school
67 as defined in paragraph (2) of Code Section 20-2-2081."

68 **SECTION 2A.**

69 Code Section 20-2-2090 of the Official Code of Georgia Annotated, relating to funding for
70 commission charter schools, is amended by adding a new subsection to read as follows:

71 "(a.1) In making the funding determination required pursuant to subsection (a) of this Code
72 section for a commission charter school that plans to offer virtual instruction, the
73 commission may reduce the total amount calculated pursuant to such subsection based on
74 factors that affect the cost of providing instruction; provided, however, that any reduction
75 made by the commission shall not exceed 35 percent of the total amount calculated
76 pursuant to subsection (a)."

77 **SECTION 3.**

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