

House Bill 62

By: Representatives Jacobs of the 80<sup>th</sup>, Setzler of the 35<sup>th</sup>, Morgan of the 39<sup>th</sup>, Austin of the 10<sup>th</sup>, Casas of the 103<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 33 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to the scholarship program for special needs students, so as to provide for additional  
3 notification of the program; to provide for application deadlines; to provide deadlines for  
4 scholarship payments to parents; to provide for related matters; to repeal conflicting laws;  
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 33 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the  
9 scholarship program for special needs students, is amended in Code Section 20-2-2113,  
10 relating to annual notification of options available to parents of special needs children, by  
11 revising subsection (a) as follows:

12 "(a) The resident school system shall annually ~~notify~~ prior to the beginning of each school  
13 year ~~the parent of~~ provide the following notice to the parents of all enrolled students a  
14 ~~student with a disability~~ by letter; or by electronic e-mail means, ~~or by such other~~  
15 ~~reasonable means in a timely manner of the options available to the parent under this~~  
16 ~~article.:~~

17 'Your child may be eligible for a Georgia Special Needs Scholarship to attend a private  
18 school or another public school if your child has an Individualized Education Program  
19 (IEP). Information may be found at [www.specialedoptions.com](http://www.specialedoptions.com) relating to eligibility  
20 requirements.'

21 In addition, the resident school system shall ensure that a student with a disability is  
22 provided such notice at each Individualized Education Program (IEP) meeting."

23 **SECTION 2.**

24 Said article is further amended in Code Section 20-2-2114, relating to qualifications for  
25 scholarship, by revising paragraphs (3) and (5) of subsection (a) as follows:

26 "(3) The student has spent the prior school year in attendance at a Georgia public school  
 27 and ~~shall have had an~~ has a current Individualized Education Program (IEP) written by  
 28 the school in accordance with federal and state laws and regulations, regardless of when  
 29 such IEP was put into place;"

30 "(5) The parent submits an application for a scholarship to the department no later than  
 31 the deadline established by the department; provided, however, that the department shall  
 32 provide application deadline opportunities on August 1, October 1, and March 1 of each  
 33 school year for a student to transfer."

### 34 SECTION 3.

35 Said article is further amended in Code Section 20-2-2116, relating to amount of scholarship,  
 36 by revising subsection (e) as follows:

37 "(e) Upon proper documentation received by the department, the department shall make  
 38 equal quarterly scholarship payments to the parents of scholarship students ~~on dates~~  
 39 established by the department or, for students who have been enrolled in a participating  
 40 school for at least ten days in the prior quarter if such students enrolled in the participating  
 41 school after the school's start date, the department shall make scholarship payments to the  
 42 parents of such students beginning on the next payment date included in this subsection.  
 43 The department shall make payments on or before September 1, November 1, February 1,  
 44 and April 1 for periods corresponding, respectively, to July 1 through September 30,  
 45 October 1 through December 31, January 1 through February 28, and March 1 through  
 46 June 30 during each academic year in which the scholarship is in force. In the event that  
 47 a quarterly payment date is missed due to a student not having been enrolled for at least ten  
 48 days in the prior quarter, the full or prorated scholarship amount, as applicable, for that  
 49 deadline shall be included in the payment on the next following payment deadline. The  
 50 state auditor shall cite as an audit exception any failure by the department to meet any such  
 51 payment deadlines and shall include such audit exceptions on the website established  
 52 pursuant to Code Section 50-6-32. The initial payment shall be made upon evidence of  
 53 admission to the participating school, and subsequent payments shall be made on evidence  
 54 of continued enrollment and attendance at the participating school."

### 55 SECTION 4.

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