

The House Committee on Higher Education offers the following substitute to HB 62:

A BILL TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"(a) The resident school system shall annually ~~notify~~, prior to the beginning of each school year ~~the parent of a student with a disability by letter, electronic means, or by such other reasonable means in a timely manner of the options available to the parent under this article.~~ provide the following notice by first-class mail to the parents of all students who have an Individualized Education Program (IEP):

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

Such notice shall be set forth on a separate page from any other information. In addition, the resident school system shall ensure that a student with a disability is provided such notice at each Individualized Education Program (IEP) meeting."

SECTION 2.

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

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

"(5) The parent submits an application for a scholarship to the department no later than the deadline established by the department; provided, however, that the department shall provide application deadline opportunities on September 15, December 15, and February 15 of each school year for a student to transfer."

SECTION 3.

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

"(e) Upon proper documentation received by the department, the department shall make quarterly scholarship payments to the parents of scholarship students ~~on dates established by the department~~ on or before November 1, January 7, April 1, and May 1 for quarterly periods corresponding, respectively, to August 1 through September 30, October 1 through November 30, December 1 through the last day of February, and March 1 through May 31 during each academic year in which the scholarship is in force. As nearly as practical, such quarterly payments shall be equal; provided, however, that this shall not prevent payments from being adjusted due to budgetary midterm adjustments made pursuant to Code Section 20-2-162. The state auditor shall cite as an audit exception any failure by the department to meet any payment deadlines and shall include such audit exceptions on the website established pursuant to Code Section 50-6-32. The initial payment shall be made upon evidence of admission to the participating school, and subsequent payments shall be made on evidence of continued enrollment and attendance at the participating school."

SECTION 4.

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