

**NOT GERMANE**

Senator Millar of the 40th offered the following amendment:

1 *Amend the Senate substitute to HB 285 (LC 33 4210S) by inserting after "employees;" on line*  
 2 *6 the following:*

3 to amend Article 33 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
 4 relating to the scholarship program for special needs students, so as to provide for the  
 5 waiver of one of the scholarship requirements under certain conditions; to revise certain  
 6 provisions relating to the amount of the scholarship;

7 *By inserting between lines 115 and 116 the following:*

**SECTION 4.**

9 Article 33 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the  
 10 scholarship program for special needs students, is amended by revising paragraph (3) of  
 11 subsection (a) of Code Section 20-2-2114, relating to qualifications for the scholarship, as  
 12 follows:

13 "(3) The student has spent the prior school year in attendance at a Georgia public school  
 14 and shall have had an Individualized Education Program (IEP) written by the school in  
 15 accordance with federal and state laws and regulations; provided, however, that the State  
 16 Board of Education shall be authorized to require a local board of education to expedite  
 17 the development of an Individualized Education Program and to waive the prior school  
 18 year requirement contained in this paragraph, in its sole discretion, on a case-by-case  
 19 basis for specific medical needs of the student upon the request of a parent or guardian  
 20 in accordance with state board procedures. If an expedited Individualized Education  
 21 Program is required by the state board pursuant to this paragraph, the state board may  
 22 additionally require such expedited process to be completed prior to the beginning of the  
 23 school year. The State Board of Education shall provide an annual report by December  
 24 31 of each year through December 31, 2015, regarding the number of waivers approved  
 25 pursuant to this paragraph to the General Assembly;"

**SECTION 5.**

26 Said article is further amended by revising subsections (a) and (d) of Code Section  
 27 20-2-2116, relating to the amount of the scholarship and methods of payment, as follows:

28 "(a) The maximum scholarship granted a scholarship student pursuant to this article shall  
 29 be an amount equivalent to the costs of the educational program that would have been  
 30 provided for the student in the resident school system. This amount shall be as calculated  
 31

32 under Code Section 20-2-161 and reduced by the local five mill share amount required  
33 pursuant to Code Section 20-2-164, austerity reductions, and any other state mandated  
34 reductions that occur midyear or otherwise, as applicable. This shall not include any  
35 federal funds."

36 "(d) Each local school system shall submit quarterly reports to the department on dates  
37 established by the department stating the number of scholarship students in the resident  
38 school system. Following each notification, the department shall transfer from the state  
39 allotment to each school system the amount calculated under ~~Code Section 20-2-161~~  
40 subsection (b) of this Code section to a separate account for the scholarship program for  
41 quarterly disbursement to the parents of scholarship students. When a student enters the  
42 program, the department must receive all documentation required for the student's  
43 participation, including the participating school's and student's fee schedules, at least 30  
44 days before the first quarterly scholarship payment is made for the student. The department  
45 may not make any retroactive payments."

46 *By redesignating Section 4 as Section 6.*