

House Bill 209

By: Representatives Cantrell of the 22nd, Teasley of the 37th, Casas of the 107th, Evans of the 42nd, Stovall of the 74th, 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 "Georgia Special Needs Scholarship Act," so as to revise the prior school year
3 attendance requirement to the prior semester; to revise provisions relating to notification of
4 parents of eligible students as to scholarship options; to provide for related matters; to repeal
5 conflicting laws; 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 "Georgia Special Needs Scholarship Act," is amended by revising paragraph (5) of Code
10 Section 20-2-2112, relating to definitions, as follows:

11 "(5) 'Prior school year semester in attendance' means that the student was enrolled for at
12 least one semester or its equivalent and reported by a public school system or school
13 systems for funding purposes during the preceding October ~~and~~ or March full-time
14 equivalent (FTE) program ~~counts~~ count in accordance with Code Section 20-2-160."

15 **SECTION 2.**

16 Said article is further amended by revising subsection (a) of Code Section 20-2-2113, relating
17 to annual notification of options available to parents of special needs students, as follows:

18 "(a) The resident school system shall provide specific written notice to the parent of a
19 student with a disability at the initial Individualized Education Program (IEP) meeting in
20 which the student's disability was identified of the options available to the parent under this
21 article. Such notice shall include a form requiring the parent's signature acknowledging
22 that he or she understands the availability of such options. ~~The~~ Thereafter, the resident
23 school system shall annually notify prior to the beginning of each school year the parent
24 of a each such student with a disability by letter, electronic means, or by such other
25 reasonable means in a timely manner ~~of restating~~ the options available to the parent under

26 this article, and shall require a response from the parent acknowledging receipt of such
 27 annual notification. The initial and subsequent annual notification required by this
 28 subsection shall not be deemed given by inclusion of such information in a student or
 29 parent handbook or other general policy document distributed by a local school system."

30 **SECTION 3.**

31 Said article is further amended by revising subsection (a) of Code Section 20-2-2114, relating
 32 to qualifications for scholarship, as follows:

33 "(a) A student shall qualify for a scholarship under this article if:

34 (1) The student's parent currently resides within Georgia and has been a Georgia resident
 35 for at least one year;

36 (2) The student has one or more of the following disabilities:

37 (A) Autism;

38 (B) Deaf/blind;

39 (C) Deaf/hard of hearing;

40 (D) Emotional and behavioral disorder;

41 (E) Intellectual disability;

42 (F) Orthopedic impairment;

43 (G) Other health impairment;

44 (H) Specific learning disability;

45 (I) Speech-language impairment;

46 (J) Traumatic brain injury; or

47 (K) Visual impairment;

48 (3) The student has spent the prior ~~school year~~ semester in attendance at a Georgia public
 49 school and has had an Individualized Education Program written by the school in
 50 accordance with federal and state laws and regulations; provided, however, that the State
 51 Board of Education shall be authorized to require a local board of education to expedite
 52 the development of an Individualized Education Program and to waive the prior ~~school~~
 53 year semester requirement contained in this paragraph, in its sole discretion, on a
 54 case-by-case basis for specific medical needs of the student upon the request of a parent
 55 or guardian in accordance with state board procedures. If an expedited Individualized
 56 Education Program is required by the state board pursuant to this paragraph, the state
 57 board may additionally require such expedited process to be completed prior to the
 58 beginning of the school year. The State Board of Education shall provide an annual
 59 report by December 31 of each year through December 31, 2015, regarding the number
 60 of waivers approved pursuant to this paragraph to the General Assembly;

- 61 (4) The parent obtains acceptance for admission of the student to a participating school;
62 and
63 (5) The parent submits an application for a scholarship to the department no later than
64 the deadline established by the department; provided, however, that the department shall
65 provide application deadline opportunities on September 15, December 15, and February
66 15 of each school year for a student to transfer."

67 **SECTION 4.**

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