

House Bill 296

By: Representatives Nix of the 69th, Clark of the 101st, Dudgeon of the 25th, Beskin of the 54th, Kaiser of the 59th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-2114 of the Official Code of Georgia Annotated, relating to
2 qualifications for the scholarship program for special needs students, so as to expand
3 eligibility for the program to certain lawful refugees and asylees; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 20-2-2114 of the Official Code of Georgia Annotated, relating to qualifications
8 for the scholarship program for special needs students, is amended by revising subsection (a)
9 as follows:

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

11 (1) The student's parent currently resides within Georgia and has been a Georgia resident
12 for at least one year; provided, however, that the one-year requirement shall not apply if
13 the student is a lawful refugee or asylee as defined by Title IV of the federal Immigration
14 and Nationality Act;

15 (2) The student:

16 (A) Has ~~has~~ one or more of the following disabilities:

17 ~~(A)~~(i) Autism;

18 ~~(B)~~(ii) Deaf/blind;

19 ~~(C)~~(iii) Deaf/hard of hearing;

20 ~~(D)~~(iv) Emotional and behavioral disorder;

21 ~~(E)~~(v) Intellectual disability;

22 ~~(F)~~(vi) Orthopedic impairment;

23 ~~(G)~~(vii) Other health impairment;

24 ~~(H)~~(viii) Specific learning disability;

25 ~~(I)~~(ix) Speech-language impairment;

26 ~~(J)~~(x) Traumatic brain injury; or

27 ~~(K)(xi)~~ Visual impairment; or

28 (B) Is limited-English proficient as defined in 20 U.S.C. Section 7801 and is a lawful
 29 refugee or asylee as defined by Title IV of the federal Immigration and Nationality Act;

30 (3) The student:

31 (A) Has ~~has~~ spent the prior school year in attendance at a Georgia public school and
 32 has had an Individualized Education Program written by the school in accordance with
 33 federal and state laws and regulations; provided, however, that the State Board of
 34 Education shall be authorized to require a local board of education to expedite the
 35 development of an Individualized Education Program and to waive the prior school
 36 year requirement contained in this paragraph, in its sole discretion, on a case-by-case
 37 basis for specific medical needs of the student upon the request of a parent or guardian
 38 in accordance with state board procedures. If an expedited Individualized Education
 39 Program is required by the state board pursuant to this paragraph, the state board may
 40 additionally require such expedited process to be completed prior to the beginning of
 41 the school year. The State Board of Education shall provide an annual report by
 42 December 31 of each year through December 31, 2015, regarding the number of
 43 waivers approved pursuant to this paragraph to the General Assembly; or

44 (B) Is a lawful refugee or asylee as defined by Title IV of the federal Immigration and
 45 Nationality Act;

46 (4) The parent obtains acceptance for admission of the student to a participating school;
 47 and

48 (5) The parent submits an application for a scholarship to the department no later than
 49 the deadline established by the department; provided, however, that the department shall
 50 provide application deadline opportunities on September 15, December 15, and February
 51 15 of each school year for a student to transfer.”

52 SECTION 2.

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