

House Bill 474

By: Representatives Kaiser of the 59<sup>th</sup>, Clark of the 101<sup>st</sup>, Dudgeon of the 25<sup>th</sup>, Mayo of the 84<sup>th</sup>, and Coleman of the 97<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to charter schools, so as to provide for enrollment priorities in charter schools for  
3 educationally disadvantaged students and military students; to provide for related matters;  
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
8 charter schools, is amended by adding new paragraphs to Code Section 20-2-2062, relating  
9 to definitions, to read as follows:

10 "(4.1) 'Educationally disadvantaged students' means students who are economically  
11 disadvantaged, students with disabilities, migrant students, limited English proficient  
12 students, neglected or delinquent students, and homeless students."

13 "(10.1) 'Military student' means the dependent child of an active duty military service  
14 member who is stationed in Georgia or who is on deployment and lists Georgia as such  
15 service member's home of record."

16 **SECTION 2.**

17 Said article is further amended by revising Code Section 20-2-2066, relating to admission,  
18 enrollment, and withdrawal of students, as follows:

19 "20-2-2066.

20 (a) A local charter school shall enroll students in the following manner:

21 (1)(A) A start-up charter school shall enroll any student who resides in the ~~charter~~  
22 attendance zone as specified in the charter and who submits a timely application as  
23 specified in the charter unless the number of applications exceeds the capacity of a  
24 program, class, grade level, or building. In such case, all such applicants shall have an  
25 equal chance of being admitted through a random selection process unless otherwise

26 prohibited by law; provided, however, that a start-up charter school may give  
 27 enrollment preference to applicants in any one or more of the following categories in  
 28 the order of priority specified in the charter:

- 29 (i) A sibling of a student enrolled in the start-up charter school;
- 30 (ii) A sibling of a student enrolled in another local school designated in the charter;
- 31 (iii) A student whose parent or guardian is a member of the governing board of the  
 32 start-up charter school or is a full-time teacher, professional, or other employee at the  
 33 start-up charter school;
- 34 (iv) Students matriculating from a local school designated in the charter; ~~and~~
- 35 (v) Children who matriculate from a pre-kindergarten program which is associated  
 36 with the school, including, but not limited to, programs which share common facilities  
 37 or campuses with the school or programs which have established a partnership or  
 38 cooperative efforts with the school; and
- 39 (vi) Educationally disadvantaged students; or
- 40 (vii) Military students.

41 (B) A conversion charter school shall enroll any student who resides in the attendance  
 42 zone specified in the charter and who submits a timely application as specified in the  
 43 charter. If the number of applying students who reside in the attendance zone does not  
 44 exceed the capacity as specified in the charter, additional students shall be enrolled  
 45 based on a random selection process; provided, however, that a conversion charter  
 46 school may give enrollment preferences ~~may be given~~ preference to applicants in any  
 47 one or more of the following categories in the order of priority specified in the charter:

- 48 (i) A sibling of a student enrolled in the conversion charter school or in any school  
 49 in the high school cluster;
- 50 (ii) ~~Students~~ A student whose parent or guardian is a member of the governing board  
 51 of the conversion charter school or is a full-time teacher, professional, or other  
 52 employee at the conversion charter school;
- 53 (iii) Students who were enrolled in the local school prior to its becoming a  
 54 conversion charter school;
- 55 (iv) Students who reside in the ~~charter~~ attendance zone specified in the charter; ~~and~~
- 56 (v) Children who matriculate from a pre-kindergarten program which is associated  
 57 with the school, including, but not limited to, programs which share common facilities  
 58 or campuses with the school or programs which have established a partnership or  
 59 cooperative efforts with the school; ~~and~~
- 60 (vi) Educationally disadvantaged students; or
- 61 (vii) Military students; and

62 (2) A student who resides outside the school system in which the local charter school is  
 63 located may not enroll in that local charter school except pursuant to a contractual  
 64 agreement between the local boards of the school system in which the student resides and  
 65 the school system in which the local charter school is located. Unless otherwise provided  
 66 in such contractual agreement, a local charter school may give enrollment preference to  
 67 a sibling of a nonresident student currently enrolled in the local charter school.

68 (b) A state chartered special school shall enroll any student who resides in the attendance  
 69 zone specified in the charter and who submits a timely application as specified in the  
 70 charter unless the number of applications exceeds the capacity of a program, class, grade  
 71 level, or building. The period of time during which an application for enrollment may be  
 72 submitted shall be specified in the charter. In such case, all such applicants shall have an  
 73 equal chance of being admitted through a random selection process unless otherwise  
 74 prohibited by law; provided, however, that a state chartered special school may give  
 75 enrollment preference to ~~a child of a full-time teacher, professional, or other employee of~~  
 76 ~~the state chartered special school as provided for in subsection (b) of Code Section~~  
 77 ~~20-2-293 or to a sibling of a student currently enrolled in the state chartered special school~~  
 78 applicants in any one or more of the following categories in the order of priority specified  
 79 in the charter:

80 (1) A sibling of a student enrolled in the state chartered special school;

81 (2) A sibling of a student enrolled in another local school designated in the charter;

82 (3) A student whose parent or guardian is a member of the governing board of the state  
 83 chartered special school or is a full-time teacher, professional, or other employee at the  
 84 state chartered special school;

85 (4) Students matriculating from a local school designated in the charter;

86 (5) Children who matriculate from a pre-kindergarten program which is associated with  
 87 the state chartered special school, including, but not limited to, programs which share  
 88 common facilities or campuses with the school or programs which have established a  
 89 partnership or cooperative efforts with the school;

90 (6) Educationally disadvantaged students; and

91 (7) Military students.

92 (b.1) A charter system shall enroll students in its system charter schools per the terms of  
 93 the charter and in accordance with state board rules.

94 (c) A charter school shall not discriminate on any basis that would be illegal if used by a  
 95 school system.

96 (d) A student may withdraw without penalty from a charter school at any time and enroll  
 97 in a local school in the school system in which such student resides as may be provided for  
 98 by the policies of the local board. A student who is suspended or expelled from a charter

99 school as a result of a disciplinary action taken by a charter school shall be entitled to enroll  
100 in a local school within the local school system in which the student resides, if, under the  
101 disciplinary policy of the local school system, such student would not have been subject  
102 to suspension or expulsion for the conduct which gave rise to the suspension or expulsion.  
103 In such instances, the local board shall not be required to independently verify the nature  
104 or occurrence of the applicable conduct or any evidence relating thereto."

105 **SECTION 3.**

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