

The House Committee on Education offers the following substitute to HB 271:

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Articles 31 and 31A of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to charter schools and state charter schools, respectively, so as to provide
3 for charter-schools-in-the-workplace; to provide for enrollment priorities for charter schools
4 and state charter schools; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
9 charter schools, is amended by adding a new paragraph to and revising paragraph (14) of
10 Code Section 20-2-2062, relating to definitions, to read as follows:

11 "(3.05) 'Charter-school-in-the-workplace' means a school in which one or more business
12 partners provide facility or operational funding and which enrolls students who are
13 children of employees of such business partner or partners."

14 "(14) 'Start-up charter school' means a charter school that did not exist as a local school
15 prior to becoming a charter school. This term shall include a charter-school-in-
16 the-workplace."

17 **SECTION 2.**

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

20 "20-2-2066.

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

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

26 equal chance of being admitted through a random selection process unless otherwise
27 prohibited by law; provided, however, that a start-up charter school may give
28 enrollment preference to applicants in any one or more of the following categories in
29 the order of priority specified in the charter:

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

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

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

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

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

81 (1) A sibling of a student enrolled in the state chartered special school;
82 (2) A sibling of a student enrolled in another local school designated in the charter;
83 (3) A student whose parent or guardian is a member of the governing board of the state
84 chartered special school or is a full-time teacher, professional, or other employee at the
85 state chartered special school;
86 (4) Students matriculating from a local school designated in the charter;
87 (5) Children who matriculate from a pre-kindergarten program which is associated with
88 the state chartered special school, including, but not limited to, programs which share
89 common facilities or campuses with the school or programs which have established a
90 partnership or cooperative efforts with the school; and
91 (6) A student who is the child of an employee of the business partner of a
92 charter-school-in-the-workplace.

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

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

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

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

106 **SECTION 3.**

107 Article 31A of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
108 state charter schools, is amended by adding a new paragraph to Code Section 20-2-2081,
109 relating to definitions, to read as follows:

110 "(1.1) 'Charter-school-in-the-workplace' means a school in which one or more business
111 partners provide facility or operational funding and which enrolls students who are
112 children of employees of such business partner or partners.'"

113 **SECTION 4.**

114 Said article is further amended by revising paragraph (1) of subsection (c) of Code Section
115 20-2-2083, relating to powers and duties of the State Charter Schools Commission, as
116 follows:

117 "(c)(1) The commission shall establish rules and regulations requiring each state charter
118 school to provide adequate notice of its enrollment procedures, ~~including any provision~~
119 ~~for the use of a random selection process where all applicants have an equal chance of~~
120 ~~being admitted in the event that the number of applications to enroll in the school exceeds~~
121 ~~the capacity of the program, grade, or school. A state charter school shall enroll any~~
122 ~~student who resides in the attendance zone specified in the charter and who submits a~~
123 ~~timely application as specified in the charter unless the number of applications exceeds~~
124 ~~the capacity of a program, class, grade level, or building. In such case, all such applicants~~
125 ~~shall have an equal chance of being admitted through a random selection process unless~~
126 ~~otherwise prohibited by law; provided, however, that a state charter school may give~~
127 ~~enrollment preference to applicants in any one or more of the following categories in the~~
128 ~~order of priority specified in the charter:~~

- 129 (A) A sibling of a student enrolled in the state charter school;
130 (B) A sibling of a student enrolled in another local school designated in the charter;
131 (C) A student whose parent or guardian is a member of the governing board of the state
132 charter school or is a full-time teacher, professional, or other employee at the state
133 charter school;
134 (D) Students matriculating from a local school designated in the charter;

(E) Children who matriculate from a pre-kindergarten program which is associated with the state charter school, including, but not limited to, programs which share common facilities or campuses with the school or programs which have established a partnership or cooperative efforts with the school; and

(F) A student who is the child of an employee of the business partner of a charter-school-in-the-workplace."

SECTION 5.

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