

The House Committee on Education offers the following substitute to HB 296:

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; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **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 as defined by Title I of the federal Immigration and
14 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 as defined by Title I 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 as defined by Title I of the federal Immigration and Nationality
- 45 Act and the parent provides to the department:
- 46 (i) The student's valid I-94 documentation designating refugee status; and
- 47 (ii) Proof that the student resides in the resident school system;
- 48 (4) The parent obtains acceptance for admission of the student to a participating school;
- 49 and
- 50 (5) The parent submits an application for a scholarship to the department no later than
- 51 the deadline established by the department; provided, however, that the department shall
- 52 provide application deadline opportunities on September 15, December 15, and February
- 53 15 of each school year for a student to transfer."

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SECTION 2.

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All laws and parts of laws in conflict with this Act are repealed.