

The House Committee on Education offers the following substitute to HB 474:

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~~ Except for the category included  
25 in division (vi) of this subparagraph, all such applicants shall have an equal chance of

26 being admitted through a random selection process unless otherwise prohibited by law;  
 27 provided, however, that a start-up charter school may give enrollment preference to  
 28 applicants in any one or more of the following categories in the order of priority  
 29 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  
 33 start-up charter school or is a full-time teacher, professional, or other employee at the  
 34 start-up charter school;
- 35 (iv) Students matriculating from a local school designated in the charter; ~~and~~
- 36 (v) Children who matriculate from a pre-kindergarten program which is associated  
 37 with the school, including, but not limited to, programs which share common facilities  
 38 or campuses with the school or programs which have established a partnership or  
 39 cooperative efforts with the school; ~~and~~
- 40 (vi) Educationally disadvantaged students; and
- 41 (vii) Military students.

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

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

63 (vii) Military students; and

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

70 (b) A state chartered special school shall enroll any student who resides in the attendance  
71 zone specified in the charter and who submits a timely application as specified in the  
72 charter unless the number of applications exceeds the capacity of a program, class, grade  
73 level, or building. The period of time during which an application for enrollment may be  
74 submitted shall be specified in the charter. ~~In such case~~ Except for the category included  
75 in paragraph (6) of this subsection, all such applicants shall have an equal chance of being  
76 admitted through a random selection process unless otherwise prohibited by law; provided,  
77 however, that a state chartered special school may give enrollment preference to ~~a child of~~  
78 ~~a full-time teacher, professional, or other employee of the state chartered special school as~~  
79 ~~provided for in subsection (b) of Code Section 20-2-293~~ or to a sibling of a student  
80 ~~currently enrolled in the state chartered special school~~ applicants in any one or more of the  
81 following categories in the order of priority specified in the charter:

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

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

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

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

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

92 (6) Educationally disadvantaged students; and

93 (7) Military students.

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

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

98 (d) A student may withdraw without penalty from a charter school at any time and enroll  
99 in a local school in the school system in which such student resides as may be provided for

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

107 **SECTION 3.**

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