

The Senate Committee on Education and Youth 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; to provide for related matters; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

10 "(4.1) 'Educationally disadvantaged students' means all or a subset of the following:
11 students who are economically disadvantaged, students with disabilities, migrant
12 students, limited English proficient students, neglected or delinquent students, and
13 homeless students, as each such subset is defined by the State Board of Education in
14 accordance with federal education guidelines and regulations."

SECTION 2.

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

18 "20-2-2066.

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

20 (1)(A) A start-up charter school shall enroll any student who resides in the charter
21 attendance zone as specified in the charter and who submits a timely application as
22 specified in the charter unless the number of applications exceeds the capacity of a
23 program, class, grade level, or building. ~~In such case~~ Except for educationally
24 disadvantaged students who may be provided an increased chance of admission through
25 a weighted lottery if permitted by the school's charter, 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
 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 (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, except for educationally disadvantaged students
 45 who may be provided an increased chance of admission through a weighted lottery if
 46 permitted by the school's charter; provided, however, that a conversion charter school
 47 may give enrollment preferences ~~may be given preference~~ to applicants in any one or
 48 more of the following categories in the order of priority specified in the charter:

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

61 (2) A student who resides outside the school system in which the local charter school is
 62 located may not enroll in that local charter school except pursuant to a contractual

63 agreement between the local boards of the school system in which the student resides and
 64 the school system in which the local charter school is located. Unless otherwise provided
 65 in such contractual agreement, a local charter school may give enrollment preference to
 66 a sibling of a nonresident student currently enrolled in the local charter school.

67 (b) A state chartered special school shall enroll any student who resides in the attendance
 68 zone specified in the charter and who submits a timely application as specified in the
 69 charter unless the number of applications exceeds the capacity of a program, class, grade
 70 level, or building. The period of time during which an application for enrollment may be
 71 submitted shall be specified in the charter. ~~In such case~~ Except for educationally
 72 disadvantaged students who may be provided an increased chance of admission through
 73 a weighted lottery if permitted by the school's charter, 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; and
 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.

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

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

95 (d) A student may withdraw without penalty from a charter school at any time and enroll
 96 in a local school in the school system in which such student resides as may be provided for
 97 by the policies of the local board. A student who is suspended or expelled from a charter
 98 school as a result of a disciplinary action taken by a charter school shall be entitled to enroll
 99 in a local school within the local school system in which the student resides, if, under the

100 disciplinary policy of the local school system, such student would not have been subject
101 to suspension or expulsion for the conduct which gave rise to the suspension or expulsion.
102 In such instances, the local board shall not be required to independently verify the nature
103 or occurrence of the applicable conduct or any evidence relating thereto.”

104 **SECTION 3.**
105 All laws and parts of laws in conflict with this Act are repealed.