

The Senate Committee on Education and Youth offered the following substitute to HB 59:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-2-150 of the Official Code of Georgia Annotated, relating to  
2 eligibility for enrollment in elementary and secondary educational programs, so as to allow  
3 military students to enroll in a public school based on official military orders prior to  
4 physically establishing residency; to amend Code Section 20-2-2066 of the Official Code of  
5 Georgia Annotated, relating to admission, enrollment, and withdrawal of students in charter  
6 schools, so as to revise provisions relating to enrollment of students who reside in the  
7 attendance zone of a start-up charter school or state chartered special school at the time of  
8 enrollment; to amend Code Section 20-2-2081 of the Official Code of Georgia Annotated,  
9 relating to definitions relative to state charter schools, so as to provide that state charter  
10 schools with state-wide attendance zones are considered to have state-wide jurisdiction for  
11 certain purposes; to provide for related matters; to repeal conflicting laws; and for other  
12 purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 style="text-align:center">**SECTION 1.**

15 Code Section 20-2-150 of the Official Code of Georgia Annotated, relating to eligibility for  
16 enrollment in elementary and secondary educational programs, is amended by adding a new  
17 subsection to read as follows:

18 "(e) A student whose parent or guardian is on active duty in the United States armed forces  
19 and has received official military orders to transfer into or within this state shall be eligible  
20 for enrollment, in the same manner and time as for students residing within the local school  
21 system, in the public school of the attendance zone in which he or she will be residing or  
22 in a public school authorized pursuant to Code Section 20-2-295, prior to physically  
23 establishing residency within the local school system, upon presentation of a copy of the  
24 official military orders to the local school system."

**SECTION 2.**

25  
26 Code Section 20-2-2066 of the Official Code of Georgia Annotated, relating to admission,  
27 enrollment, and withdrawal of students in charter schools, is amended by revising  
28 subparagraph (a)(1)(A) and subsection (b) as follows:

29       “(1)(A) A start-up charter school shall enroll any student who, at the time of  
30 enrollment, resides in the attendance zone specified in the charter and who submits a  
31 timely application as specified in the charter unless the number of applications exceeds  
32 the capacity of a program, class, grade level, or building. Except for educationally  
33 disadvantaged students who may be provided an increased chance of admission through  
34 a weighted lottery if permitted by the school's charter, all such applicants shall have an  
35 equal chance of being admitted through a random selection process unless otherwise  
36 prohibited by law; provided, however, that a start-up charter school may give  
37 enrollment preference to applicants in any one or more of the following categories in  
38 the order of priority specified in the charter:

- 39       (i) A sibling of a student enrolled in the start-up charter school;  
40       (ii) A sibling of a student enrolled in another local school designated in the charter;  
41       (iii) A student whose parent or guardian is a member of the governing board of the  
42 start-up charter school or is a full-time teacher, professional, or other employee at the  
43 start-up charter school;  
44       (iv) Students matriculating from a local school designated in the charter; and  
45       (v) Children who matriculate from a pre-kindergarten program which is associated  
46 with the school, including, but not limited to, programs which share common facilities  
47 or campuses with the school or programs which have established a partnership or  
48 cooperative efforts with the school.”

49       “(b) A state chartered special school shall enroll any student who, at the time of  
50 enrollment, resides in the attendance zone specified in the charter and who submits a timely  
51 application as specified in the charter unless the number of applications exceeds the  
52 capacity of a program, class, grade level, or building. The period of time during which an  
53 application for enrollment may be submitted shall be specified in the charter. Except for  
54 educationally disadvantaged students who may be provided an increased chance of  
55 admission through a weighted lottery if permitted by the school's charter, all such  
56 applicants shall have an equal chance of being admitted through a random selection process  
57 unless otherwise prohibited by law; provided, however, that a state chartered special school  
58 may give enrollment preference to applicants in any one or more of the following  
59 categories in the order of priority specified in the charter:

- 60       (1) A sibling of a student enrolled in the state chartered special school;  
61       (2) A sibling of a student enrolled in another local school designated in the charter;

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

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

66 (5) Children who matriculate from a pre-kindergarten program which is associated with  
67 the state chartered special school, including, but not limited to, programs which share  
68 common facilities or campuses with the school or programs which have established a  
69 partnership or cooperative efforts with the school."

70 **SECTION 3.**

71 Code Section 20-2-2081 of the Official Code of Georgia Annotated, relating to definitions  
72 relative to state charter schools, is amended by revising paragraph (1) as follows:

73 "(1) 'Attendance zone' means all or a portion of a local school system, one or more local  
74 school systems or portions thereof, or all local school systems in this state. A state  
75 charter school with an attendance zone that includes all local school systems in this state  
76 shall be considered to have state-wide jurisdiction as that term is used in Chapter 14 of  
77 Title 50."

78 **SECTION 4.**

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