

Senate Bill 128

By: Senators Esteves of the 35th, Jones II of the 22nd, Jackson of the 41st, Parent of the 44th, Halpern of the 39th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to the "Quality Basic Education Act," so as to provide for grants to eligible local  
3 units of administration for students living in poverty; to provide for definitions; to provide  
4 for the calculation of grant amounts; to provide that a minimum required portion of grant  
5 funds be used by local units of administration for direct program expenditures for the benefit  
6 of students living in poverty; to provide for related matters; to repeal conflicting laws; and  
7 for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the  
11 "Quality Basic Education Act," is amended in Part 5, relating to program weights and  
12 funding requirements, by adding a new Code section to read as follows:

13 "20-2-192.

14 (a) As used in this Code section, the term:

- 15 (1) 'Student in foster care' means a student enrolled in a public school who is placed in  
16 a foster family home, child care institution, or another substitute care setting approved  
17 by the Department of Human Services or Division of Family and Children Services.
- 18 (2) 'Student living in poverty' means a student enrolled in a public school who meets one  
19 or more of the following criteria:
- 20 (A) Lives in a family unit directly certified to be receiving Supplemental Nutrition  
21 Assistance Program (SNAP) benefits;
- 22 (B) Lives in a family unit directly certified to be receiving Temporary Assistance for  
23 Needy Families (TANF) benefits;
- 24 (C) Is a student in foster care; or
- 25 (D) Is a student without stable housing.
- 26 (3) 'Student without stable housing' means a student enrolled in a public school who  
27 meets the definition of the term 'homeless children and youths' under the federal  
28 McKinney-Vento Homeless Assistance Act, codified at 42 U.S.C. Section 11301, et seq.,  
29 in force and effect as of January 1, 2025.
- 30 (b) The State Board of Education shall provide grants to eligible local units of  
31 administration for the purpose of supplementing services and instruction to students living  
32 in poverty, subject to appropriations by the General Assembly. Such grants shall be  
33 provided beyond those funds to which local units of administration otherwise are entitled  
34 to by the provisions of this article and other statutes. The State Board of Education shall  
35 establish the manner by which a local unit of administration shall demonstrate that it is  
36 eligible to receive a grant under this Code section.
- 37 (c) The Department of Education shall calculate the grant amount for each eligible local  
38 unit of administration to be used under this Code section by multiplying the total number  
39 of students living in poverty who are enrolled in such eligible local unit of administration  
40 as of the date of the initial enrollment count each year as set forth in Code Section 20-2-160  
41 by an amount equal to 25 percent of the base amount calculated as set forth in Code Section

42 20-2-161. At least 90 percent of the grant funds received by an eligible local unit of  
43 administration under this Code section shall be used for direct program expenditures for  
44 the benefit of students living in poverty for which the grant is provided under this Code  
45 section. Any portion of that 90 percent not so expended shall be returned to the State  
46 Board of Education."

47 **SECTION 2.**

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