

House Bill 62 (AS PASSED HOUSE AND SENATE)

By: Representatives Tanner of the 9th, Dickson of the 6th, Dudgeon of the 25th, Evans of the 42nd, Epps of the 144th, and others

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 waive certain
3 qualifications for students whose parent is an active duty military service member stationed
4 in Georgia within the previous year; to provide for related matters; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 20-2-2114 of the Official Code of Georgia Annotated, relating to qualifications
9 for the scholarship program for special needs students, is amended by revising subsection (a)
10 as follows:

11 "(a) A student shall qualify for a scholarship under this article if:

12 (1) The student's parent currently resides within Georgia and has been a Georgia resident
13 for at least one year; provided, however, that the one-year requirement shall not apply if
14 the student's parent is an active duty military service member stationed in Georgia within
15 the previous year;

16 (2) The student has one or more of the following disabilities:

17 (A) Autism;

18 (B) Deaf/blind;

19 (C) Deaf/hard of hearing;

20 (D) Emotional and behavioral disorder;

21 (E) Intellectual disability;

22 (F) Orthopedic impairment;

23 (G) Other health impairment;

24 (H) Specific learning disability;

25 (I) Speech-language impairment;

26 (J) Traumatic brain injury; or

27 (K) Visual impairment;

28 (3) The student;

29 (A) Has ~~has~~ spent the prior school year in attendance at a Georgia public school;
 30 provided, however, that this requirement shall not apply if the student's parent is an
 31 active duty military service member stationed in Georgia within the previous year; and

32 (B) Has ~~has had~~ an Individualized Education Program written by ~~the school~~ in
 33 accordance with federal and state laws and regulations; provided, however, that the
 34 State Board of Education shall be authorized to require a local board of education to
 35 expedite the development of an Individualized Education Program and to waive the
 36 prior school year requirement contained in subparagraph (A) of this paragraph, in its
 37 sole discretion, on a case-by-case basis for specific medical needs of the student upon
 38 the request of a parent or guardian in accordance with state board procedures. If an
 39 expedited Individualized Education Program is required by the state board pursuant to
 40 ~~this paragraph~~ subparagraph, the state board may additionally require such expedited
 41 process to be completed prior to the beginning of the school year. The State Board of
 42 Education shall provide an annual report by December 31 of each year through
 43 December 31, 2015, regarding the number of waivers approved pursuant to this
 44 paragraph to the General Assembly;

45 (4) The parent obtains acceptance for admission of the student to a participating school;
 46 and

47 (5) The parent submits an application for a scholarship to the department no later than
 48 the deadline established by the department; provided, however, that the department shall
 49 provide application deadline opportunities on September 15, December 15, and February
 50 15 of each school year for a student to transfer."

51 **SECTION 2.**

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