

House Bill 59 (AS PASSED HOUSE AND SENATE)

By: Representatives Belton of the 112th, Clark of the 147th, Clark of the 98th, Hitchens of the 161st, Prince of the 127th, and others

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.