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

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

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

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

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

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

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

(1) A sibling of a student enrolled in the state chartered special school;
(2) A sibling of a student enrolled in another local school designated in the charter;
(3) A student whose parent or guardian is a member of the governing board of the state chartered special school or is a full-time teacher, professional, or other employee at the state chartered special school;

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

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

SECTION 3.

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

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

SECTION 4.

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