

ADOPTED

Representative Coomer of the 14th et al. offer the following amendment:

1 *Amend the Senate Committee on Education and Youth substitute to HB 372 (LC 33 6178S)*
2 *by inserting after "title;" on line 4 the following:*

3 to amend Code Section 20-3-250.3 of the Official Code of Georgia Annotated, relating to
4 educational institutions exempted from application of part, so as to revise a provision relating
5 to nonpublic, nonprofit colleges; to amend Article 31 of Chapter 2 of Title 20 of the Official
6 Code of Georgia Annotated, relating to charter schools, so as to provide for weighted
7 lotteries in charter schools for educationally disadvantaged students;

8 *By striking lines 7 through 9 and inserting in lieu thereof the following:*

9 **PART I**

10 **SECTION 1-1.**

11 This part shall be known and may be cited as the "Utopian Academy for the Arts Act."

12 **SECTION 1-2.**

13 *By striking line 21 and inserting in lieu thereof the following:*

14 **PART II**

15 **SECTION 2-1.**

16 Code Section 20-3-250.3 of the Official Code of Georgia Annotated, relating to educational
17 institutions exempted from application of part, is amended by revising paragraph (10) of
18 subsection (a), as follows:

19 "(10) Subject to the requirements of subsection (c) of Code Section 20-3-250.6, any
20 nonpublic, nonprofit college or university granting baccalaureate degrees whose principal
21 office and campus are located in this state and its related graduate and professional
22 programs, which have been in existence ten or more years as a nonpublic, nonprofit
23 college or university ~~prior to July 1, 1989~~, and is accredited by a national or regional
24 accrediting agency recognized by the United States Department of Education;"

25 **PART III**

26 **SECTION 3-1.**

27 Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
28 charter schools, is amended by adding a new paragraph to Code Section 20-2-2062, relating
29 to definitions, to read as follows:

30 "(4.1) 'Educationally disadvantaged students' means all or a subset of the following:
 31 students who are economically disadvantaged, students with disabilities, limited English
 32 proficient students, neglected or delinquent students, and homeless students, as each such
 33 subset is defined by the State Board of Education in accordance with federal education
 34 guidelines and regulations."

35 SECTION 3-2.

36 Said article is further amended by revising Code Section 20-2-2066, relating to admission,
 37 enrollment, and withdrawal of students, as follows:

38 "20-2-2066.

39 (a) A local charter school shall enroll students in the following manner:

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

50 (i) A sibling of a student enrolled in the start-up charter school;

51 (ii) A sibling of a student enrolled in another local school designated in the charter;

52 (iii) A student whose parent or guardian is a member of the governing board of the
 53 start-up charter school or is a full-time teacher, professional, or other employee at the
 54 start-up charter school;

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

56 (v) Children who matriculate from a pre-kindergarten program which is associated
 57 with the school, including, but not limited to, programs which share common facilities
 58 or campuses with the school or programs which have established a partnership or
 59 cooperative efforts with the school; ~~and~~.

60 (B) A conversion charter school shall enroll any student who resides in the attendance
 61 zone specified in the charter and who submits a timely application as specified in the
 62 charter. If the number of applying students who reside in the attendance zone does not
 63 exceed the capacity as specified in the charter, additional students shall be enrolled
 64 based on a random selection process, except for educationally disadvantaged students
 65 who may be provided an increased chance of admission through a weighted lottery if

66 permitted by the school's charter; provided, however, that a conversion charter school
 67 may give enrollment preferences may be given preference to applicants in any one or
 68 more of the following categories in the order of priority specified in the charter:

69 (i) A sibling of a student enrolled in the conversion charter school or in any school
 70 in the high school cluster;

71 (ii) ~~Students~~ A student whose parent or guardian is a member of the governing board
 72 of the conversion charter school or is a full-time teacher, professional, or other
 73 employee at the conversion charter school;

74 (iii) Students who were enrolled in the local school prior to its becoming a
 75 conversion charter school;

76 (iv) Students who reside in the ~~charter~~ attendance zone specified in the charter; and

77 (v) Children who matriculate from a pre-kindergarten program which is associated
 78 with the school, including, but not limited to, programs which share common facilities
 79 or campuses with the school or programs which have established a partnership or
 80 cooperative efforts with the school; and

81 (2) A student who resides outside the school system in which the local charter school is
 82 located may not enroll in that local charter school except pursuant to a contractual
 83 agreement between the local boards of the school system in which the student resides and
 84 the school system in which the local charter school is located. Unless otherwise provided
 85 in such contractual agreement, a local charter school may give enrollment preference to
 86 a sibling of a nonresident student currently enrolled in the local charter school.

87 (b) A state chartered special school shall enroll any student who resides in the attendance
 88 zone specified in the charter and who submits a timely application as specified in the
 89 charter unless the number of applications exceeds the capacity of a program, class, grade
 90 level, or building. The period of time during which an application for enrollment may be
 91 submitted shall be specified in the charter. ~~In such case~~ Except for educationally
 92 disadvantaged students who may be provided an increased chance of admission through
 93 a weighted lottery if permitted by the school's charter, all such applicants shall have an
 94 equal chance of being admitted through a random selection process unless otherwise
 95 prohibited by law; provided, however, that a state chartered special school may give
 96 enrollment preference to ~~a child of a full-time teacher, professional, or other employee of~~
 97 ~~the state chartered special school as provided for in subsection (b) of Code Section~~
 98 ~~20-2-293 or to a sibling of a student currently enrolled in the state chartered special school~~
 99 applicants in any one or more of the following categories in the order of priority specified
 100 in the charter:

101 (1) A sibling of a student enrolled in the state chartered special school;

102 (2) A sibling of a student enrolled in another local school designated in the charter;

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

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

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

111 (b.1) A charter system shall enroll students in its system charter schools per the terms of
112 the charter and in accordance with state board rules.

113 (c) A charter school shall not discriminate on any basis that would be illegal if used by a
114 school system.

115 (d) A student may withdraw without penalty from a charter school at any time and enroll
116 in a local school in the school system in which such student resides as may be provided for
117 by the policies of the local board. A student who is suspended or expelled from a charter
118 school as a result of a disciplinary action taken by a charter school shall be entitled to enroll
119 in a local school within the local school system in which the student resides, if, under the
120 disciplinary policy of the local school system, such student would not have been subject
121 to suspension or expulsion for the conduct which gave rise to the suspension or expulsion.
122 In such instances, the local board shall not be required to independently verify the nature
123 or occurrence of the applicable conduct or any evidence relating thereto."

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PART IV

125

SECTION 4-1.