

Senate Bill 187

By: Senators Bethel of the 54th, Henson of the 41st, McKoon of the 29th, James of the 35th, Thompson of the 5th and others

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 20-2-2114 of the Official Code of Georgia Annotated, relating to qualifications for the scholarship program for special needs students, so as to expand eligibility for the program to certain lawful refugees and asylees; 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 20-2-2114 of the Official Code of Georgia Annotated, relating to qualifications for the scholarship program for special needs students, is amended by revising subsection (a) as follows:

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

(1) The student's parent currently resides within Georgia and has been a Georgia resident for at least one year; provided, however, that the one-year requirement shall not apply if the student is a lawful refugee or asylee as defined by Title IV of the federal Immigration and Nationality Act;

(2) The student:

(A) ~~Has~~ has one or more of the following disabilities:

~~(A)~~(i) Autism;

~~(B)~~(ii) Deaf/blind;

~~(C)~~(iii) Deaf/hard of hearing;

~~(D)~~(iv) Emotional and behavioral disorder;

~~(E)~~(v) Intellectual disability;

~~(F)~~(vi) Orthopedic impairment;

~~(G)~~(vii) Other health impairment;

~~(H)~~(viii) Specific learning disability;

~~(I)~~(ix) Speech-language impairment;

~~(J)~~(x) Traumatic brain injury; or

~~(K)~~(xi) Visual impairment; or

(B) Is limited-English proficient as defined in 20 U.S.C. Section 7801 and is a lawful refugee or asylee as defined by Title IV of the federal Immigration and Nationality Act;

(3) The student:

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

(B) Is a lawful refugee or asylee as defined by Title IV of the federal Immigration and Nationality Act;

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

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

## SECTION 2.

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