

House Resolution 1239

By: Representative Ridley of the 6th

A RESOLUTION

1 Creating the House Study Committee on Transparency and Accountability for Nonpublic
2 Schools Benefiting from Public Funds; and for other purposes.

3 WHEREAS, in 2007, the Georgia Special Needs Scholarship Act was enacted to provide for
4 scholarships for public school students with disabilities to attend other public or private
5 schools; according to the Department of Education, for the 2020-2021 school year, the state
6 paid \$34,323,764.00 in scholarships under this program, with the average scholarship per
7 participating student being \$6,473.00; and

8 WHEREAS, in 2008, the state enacted a tuition scholarship program in conjunction with tax
9 credits for qualified education expenses, authorizing individuals and corporations to earn tax
10 credits for donations made to student scholarship organizations; the state-wide cap on total
11 tax credits under this program is \$100 million per year through 2028; and

12 WHEREAS, each year, many thousands of students who might otherwise attend public
13 schools in this state attend nonpublic schools due at least in part to the direct and indirect
14 benefits of these programs; and

15 WHEREAS, the state has an interest in ensuring that nonpublic schools that receive direct
16 and indirect benefits from public funds are not engaging in unlawful discrimination or acting
17 upon, promoting, or encouraging certain divisive concepts, including, but not limited to, the
18 concept that one race is inherently superior to another race, that an individual's moral
19 character is inherently determined by his or her race, or that an individual, solely by virtue
20 of his or her race, bears individual responsibility for actions committed in the past by
21 individuals of the same race; and

22 WHEREAS, with thousands of would-be public school students attending nonpublic schools
23 and many millions of public education dollars being paid to nonpublic schools, the state has
24 a definite and substantial interest in exercising appropriate oversight over the education of
25 Georgia students in nonpublic schools receiving direct or indirect benefits from public funds.

26 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

27 (1) **Creation of House study committee.** There is created the House Study Committee
28 on Transparency and Accountability for Nonpublic Schools Benefiting from Public
29 Funds.

30 (2) **Members and officers.** The committee shall be composed of five members of the
31 House of Representatives to be appointed by the Speaker of the House of
32 Representatives. The Speaker shall designate a member of the committee as chairperson
33 of the committee.

34 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
35 issues, and problems mentioned above or related thereto and recommend any action or
36 legislation which the committee deems necessary or appropriate.

37 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
38 may conduct such meetings at such places and at such times as it may deem necessary or

39 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
40 accomplish the objectives and purposes of this resolution.

41 (5) **Allowances and funding.** The legislative members of the committee shall receive
42 the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia
43 Annotated. The allowances authorized by this resolution shall not be received by any
44 member of the committee for more than five days unless additional days are authorized.
45 Funds necessary to carry out the provisions of this resolution shall come from funds
46 appropriated to the House of Representatives.

47 (6) **Report.**

48 (A) In the event the committee adopts any specific findings or recommendations that
49 include suggestions for proposed legislation, the chairperson shall file a report of the
50 same prior to the date of abolishment specified in this resolution, subject to
51 subparagraph (C) of this paragraph.

52 (B) In the event the committee adopts a report that does not include suggestions for
53 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
54 of this paragraph.

55 (C) No report shall be filed unless the same has been approved prior to the date of
56 abolishment specified in this resolution by majority vote of a quorum of the committee.
57 A report so approved shall be signed by the chairperson of the committee and filed with
58 the Clerk of the House of Representatives.

59 (D) In the absence of an approved report, the chairperson may file with the Clerk of the
60 House of Representatives a copy of the minutes of the meetings of the committee in lieu
61 thereof.

62 (7) **Abolishment.** The committee shall stand abolished on December 1, 2022.