

Senate Bill 147

By: Senators Still of the 48th, Dolezal of the 27th, Robertson of the 29th, Anavitarte of the 31st, Dixon of the 45th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the  
2 "Quality Basic Education Act," so as to permit student transfers between local school  
3 systems without contracts between the local school system where the student resides and the  
4 local school system where the student seeks to enroll; to require the State Board of Education  
5 to provide for procedures for such student transfers; to provide for caps on tuition that can  
6 be charged to a student by an enrolling local unit of administration that exclusively provides  
7 virtual instruction to such student; to provide for related matters; to provide for a short title;  
8 to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Boundless Opportunities for Georgia  
12 Students Act."

13 **SECTION 2.**

14 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality  
15 Basic Education Act," is amended in Part 4, relating to financing, by revising subsection (b)

16 of Code Section 20-2-165, relating to equalization grants, annual calculations, and allocation,  
17 as follows:

18 "(b) The State Board of Education shall annually calculate the equalization grant for each  
19 qualified local school system in the following manner:

20 (1) Subtract the assessed valuation per weighted full-time equivalent count for the local  
21 school system from the guaranteed valuation;

22 (2) Divide the difference resulting from paragraph (1) of this subsection by 1,000;

23 (3) Subtract five from the effective millage rate for the local school system and use the  
24 resulting number of effective mills or 15 effective mills, whichever is less, as the number  
25 of effective mills to be equalized;

26 (4) Multiply the quotient resulting from paragraph (2) of this subsection by the number  
27 of effective mills to be equalized pursuant to paragraph (3) of this subsection; and

28 (5) Multiply the product resulting from paragraph (4) of this subsection by the most  
29 recent weighted full-time equivalent count for the local school system.

30 The resulting amount shall be the equalization grant for the ensuing fiscal year; provided,  
31 however, that for each local school system which serves ~~under contract all of the students~~  
32 in one or more grade levels from ~~an adjoining~~ another local school system ~~and for each~~  
33 ~~local school system which sends under contract all of the students in one or more grade~~  
34 ~~levels to an adjoining system~~, the equalization grant shall be calculated to represent the  
35 amount that would be earned if the students transferred ~~under said contract~~ were included  
36 in the full-time equivalent counts of the local school system in which they reside; provided,  
37 further, that any equalization grant to be earned by a local school system sending students  
38 to another local school system ~~under the provisions of such a contract~~ shall be reduced by  
39 an amount which represents the equalization funds earned per weighted full-time  
40 equivalent student multiplied by the total weighted full-time equivalent count for students  
41 transferred, and any equalization grant to be earned by the local school system receiving  
42 students ~~under said contract~~ shall be increased by the same amount."

43

**SECTION 3.**

44 Said article is further amended in Part 13, relating to organization of schools and systems,  
 45 by amending subsection (a) of Code Section 20-2-293, relating to student attending school  
 46 in system other than system of student's residence, as follows:

47 ~~"(a)(1) The provisions of this article and other statutes to the contrary notwithstanding,~~  
 48 ~~the State Board of Education is authorized to~~ shall provide a procedure whereby a student  
 49 ~~shall, for such compelling reasons and circumstances as may be specified by the state~~  
 50 ~~board,~~ be permitted to attend and to be included as an enrolled student in the public  
 51 schools of a local unit of administration other than the local unit of administration  
 52 wherein the student resides for the purpose of allotting state funds under this article,  
 53 notwithstanding absence of an agreement between the two local units and a refusal by the  
 54 board of education of the local unit wherein the student resides to approve voluntarily  
 55 such transfer of the student to the public schools of the other local unit; provided,  
 56 however, that the board of education of the local unit is willing to receive and to permit  
 57 such student to enroll in and to attend the public schools of such local unit. The state  
 58 board shall adopt such rules, regulations, and policies as may be necessary for  
 59 implementation of this Code section. Grant or refusal of permission for students to attend  
 60 such schools, for the purpose of permitting state funds to follow such students, shall be  
 61 ~~entirely discretionary with the state board and shall, in the absence of a clear abuse of~~  
 62 ~~discretion by the state board, be final and conclusive~~ subject only to approval of the  
 63 enrolling student and the local unit of administration in which the student seeks to enroll.  
 64 Local units of administration may contract with each other for the care, education, and  
 65 transportation of students and for such other activities as they may be authorized by law  
 66 to perform.

67 (2) If a local unit of administration enrolls a student pursuant to paragraph (1) of this  
 68 subsection and exclusively provides virtual instruction to such student, the amount of

69 tuition such local unit of administration may charge to such student shall not exceed 40  
70 percent of such local unit of administration's most recent equalized adjusted property tax  
71 digest reduced by an amount equal to the sum of the products provided for in subsection  
72 (g) of Code Section 20-2-164 divided by such local unit of administration's weighted  
73 full-time equivalent count for the year of such digest."

74

**SECTION 4.**

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