

The Senate Committee on Education and Youth offered the following substitute to SB 147:

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

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

22 ~~(2)~~(B) Divide the difference resulting from ~~paragraph (1)~~ subparagraph (A) of this  
23 subsection paragraph by 1,000;

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

27 ~~(4)~~(D) Multiply the quotient resulting from ~~paragraph (2)~~ subparagraph (B) of this  
28 subsection paragraph by the number of effective mills to be equalized pursuant to  
29 ~~paragraph (3)~~ subparagraph (C) of this subsection paragraph; and

30 ~~(5)~~(E) Multiply the product resulting from ~~paragraph (4)~~ subparagraph (D) of this  
31 subsection paragraph by the most recent weighted full-time equivalent count for the  
32 local school system.

33 The resulting amount shall be the equalization grant for the ensuing fiscal year; ~~provided,~~  
34 ~~however, that for~~ except as provided for in paragraph (2) of this subsection.

35 ~~(2)~~(A) For each local school system which serves ~~under contract all of the~~ students in  
36 one or more grade levels from ~~an adjoining~~ another local school system and ~~for each~~  
37 ~~local school system which sends under contract all of the students in one or more grade~~  
38 ~~levels to an adjoining system,~~ the equalization grant shall be calculated to represent the  
39 amount that would be earned if the students transferred ~~under said contract~~ were  
40 included in the full-time equivalent counts of the local school system in which they  
41 reside; ~~provided, further, that any~~

42 (B) Any equalization grant to be earned by a local school system sending students to  
 43 another local school system under the provisions of such a contract shall be reduced by  
 44 an amount which represents the equalization funds earned per weighted full-time  
 45 equivalent student multiplied by the total weighted full-time equivalent count for  
 46 students transferred, and any equalization grant to be earned by the local school system  
 47 receiving students under said contract shall be increased by the same amount; provided,  
 48 however, that the total amount of state and local revenue per full-time equivalent  
 49 student of such local school system shall not be decreased to less than \$10,000.00 by  
 50 operation of the provision of this subparagraph."

51

### SECTION 3.

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

55 "(a)(1) The provisions of this article and other statutes to the contrary notwithstanding,  
 56 the State Board of Education ~~is authorized to~~ shall provide a procedure whereby a student  
 57 ~~shall, for such compelling reasons and circumstances as may be specified by the state~~  
 58 ~~board,~~ be permitted to attend and to be included as an enrolled student in the public  
 59 schools of a local unit of administration other than the local unit of administration  
 60 wherein the student resides for the purpose of allotting state funds under this article,  
 61 notwithstanding absence of an agreement between the two local units and a refusal by the  
 62 board of education of the local unit wherein the student resides to approve voluntarily  
 63 such transfer of the student to the public schools of the other local unit; provided,  
 64 however, that the board of education of the local unit is willing to receive and to permit  
 65 such student to enroll in and to attend the public schools of such local unit. The state  
 66 board shall adopt such rules, regulations, and policies as may be necessary for  
 67 implementation of this Code section. Grant or refusal of permission for students to attend

68 such schools, for the purpose of permitting state funds to follow such students, shall be  
69 ~~entirely discretionary with the state board and shall, in the absence of a clear abuse of~~  
70 ~~discretion by the state board, be final and conclusive~~ subject only to approval of the  
71 enrolling student and the local unit of administration in which the student seeks to enroll.

72 Local units of administration may contract with each other for the care, education, and  
73 transportation of students and for such other activities as they may be authorized by law  
74 to perform.

75 (2) If a local unit of administration enrolls a student pursuant to paragraph (1) of this  
76 subsection and exclusively provides virtual instruction to such student, the amount of  
77 tuition such local unit of administration may charge to such student shall not exceed  
78 two-thirds of total revenues less federal revenues less state revenues per full-time  
79 equivalent student for the local unit of administration that enrolls such student."

80

#### SECTION 4.

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