

House Bill 118

By: Representatives Burnough of the 77th, Beverly of the 143rd, Smyre of the 135th, Schofield of the 60th, and Scott of the 76th

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 13 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to organization of schools and systems under the "Quality Basic
3 Education Act," so as to replace the term "sparsity grant" with the term "FAIR Georgia
4 grant"; to remove the provision that such grants shall be provided subject to appropriations
5 by the General Assembly; to provide for a short title; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Funding Adequate Instruction in Rural
10 (FAIR) Georgia Grants Act."

11 **SECTION 2.**

12 Part 13 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
13 relating to organization of schools and systems under the "Quality Basic Education Act," is
14 amended by revising Code Section 20-2-292, relating to sparsity grants, as follows:

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15 "20-2-292.

16 (a) The State Board of Education shall provide ~~sparsity grants~~ FAIR Georgia grants to
17 qualified local school systems beyond those funds to which they otherwise are entitled by
18 the provisions of this article and other statutes, ~~subject to appropriation by the General~~
19 ~~Assembly~~. To qualify for a ~~sparsity grant~~ FAIR Georgia grant, a local school system shall
20 meet the following conditions:

21 (1) The local school system is unable to offer its students or a portion of its students
22 educational programs and services comparable to those which are typically being offered
23 to students in this state under provisions of this article with the funds provided for this
24 purpose; and

25 (2) The inability to offer students comparable programs and services is attributable, at
26 least in part, to the fact that the local school system has full-time equivalent counts less
27 than base sizes specified pursuant to Code Section 20-2-181 or the affected school or
28 schools have full-time equivalent counts less than the base sizes referenced pursuant to
29 Code Section 20-2-181; and

30 (3) The state board has found, based upon a study it has completed within the past five
31 years, that merger of local school systems or the consolidation of schools pursuant to
32 Code Section 20-2-291, whichever applies to the specific situation, is unfeasible because
33 consolidation of schools would result in a proportion of students whose travel time to
34 such schools would be in excess of the state board prescribed criteria concerning travel
35 time to and from assigned schools; or

36 (4) The state board has concluded based upon a study pursuant to subsection (e) of Code
37 Section 20-2-291, that merger of local school systems and the resulting consolidation of
38 schools is feasible and the local school system has met the state board prescribed criteria
39 concerning efforts to effectuate such a merger of the local school systems, but officials
40 or voters of the other local school system or systems party to such merger efforts have
41 rejected the proposed merger; or

42 (5) The adjoining local school system or systems have refused to participate in a study
43 pursuant to subsection (e) of Code Section 20-2-291 to determine the feasibility of a
44 merger; or

45 (6) The state board has concluded that the local school system would still be unable to
46 offer comparable educational programs and services to its students or a portion of its
47 students even if the local school systems were merged or if schools were consolidated,
48 since the resulting schools would still be smaller than the base sizes specified pursuant
49 to Code Section 20-2-181.

50 (b) The State Board of Education shall conduct a ~~sparsity grant~~ FAIR Georgia grant needs
51 study for each local school system meeting the conditions set forth in subsection (a) of this
52 Code section. The needs study shall include at least the following:

53 (1) The identification of all instructional, administrative, and support service resources
54 essential to the provision of educational programs and services to all students in a manner
55 comparable to those educational programs and services which are typically offered to
56 students in this state under the provisions of this article with the funds provided for this
57 purpose;

58 (2) The identification of resources which will actually be provided under the provisions
59 of this article; and

60 (3) The assignment of cost to all such resources which are identified as needed under
61 paragraph (1) of this subsection but not identified as being provided under paragraph (2)
62 of this subsection.

63 The ~~sparsity grant~~ FAIR Georgia grant to an eligible local school system shall be equal to
64 the total cost assigned to resources needed but not being provided pursuant to paragraph (3)
65 of this subsection, adjusted annually to reflect changes in the salaries and operational costs
66 similar to those changes made under the provisions of this article.

67 (c) Once a local school system receives a ~~sparsity grant~~ FAIR Georgia grant under the
68 provisions of this Code section, it shall continue to be eligible for such grant; provided,
69 however, that it meets the following conditions:

70 (1) It continues to meet the conditions of subsection (a) of this Code section;

71 (2) A feasibility study pursuant to subsection (e) of Code Section 20-2-291 concerning
72 the merger of school systems has been done within the past five years by the State Board
73 of Education if the local school system has a full-time equivalent count less than the base
74 size specified pursuant to Code Section 20-2-181 or the potential party local school
75 system or systems have refused to participate in such a feasibility study or have refused
76 to adopt its recommendations; and

77 (3) A ~~sparsity grant~~ FAIR Georgia grant needs study pursuant to subsection (b) of this
78 Code section has been done within the past five years.

79 (d) Beginning with the ~~2001-2002~~ 2021-2022 school year, a school system may be eligible
80 to receive a ~~sparsity grant~~ FAIR Georgia grant to supplement funding for alternative
81 education programs operated pursuant to Code Section 20-2-154.1. Funds shall be
82 distributed based on rules and regulations adopted by the State Board of Education subject
83 to appropriation by the General Assembly."

84

SECTION 3.

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