

House Bill 10

By: Representatives Scott of the 76<sup>th</sup>, Beverly of the 143<sup>rd</sup>, Burnough of the 77<sup>th</sup>, Schofield of the 60<sup>th</sup>, McLeod of the 105<sup>th</sup>, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 5 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to program weights and funding requirements under the "Quality Basic  
3 Education Act," so as to provide for grants by the State Board of Education to local units of  
4 administration to support students living in poverty; to provide for definitions; to require the  
5 State Board of Education to develop rules and regulations; to provide for the calculation of  
6 grant amounts; to provide that a minimum required portion of grant funds must be used by  
7 local units of administration for direct program expenditures for the benefit of the students  
8 living in poverty; to provide for a short title; to provide for related matters; to repeal  
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Support for Students Living in Poverty  
13 Act."

**SECTION 2.**

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15 Part 5 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
16 relating to program weights and funding requirements under the "Quality Basic Education  
17 Act," is amended by revising Code Section 20-2-189, relating to migrant student grants for  
18 schools, as follows:

19 "20-2-189.

20 (a) As used in this Code section, the term:

21 (1) 'Foster care student' means a student enrolled in a public school who is placed in a  
22 foster family home, child care institution, or another substitute care setting approved by  
23 the Department of Human Services.

24 (2) 'Homeless student' means a student enrolled in a public school who meets the  
25 definition of the term 'homeless children and youths' under the McKinney-Vento  
26 Homeless Assistance Act, codified at 42 U.S.C. Section 11301, et seq., in force and effect  
27 on January 1, 2021.

28 (3) 'Migrant student' means ~~'migrant student' means a child who is~~ a student enrolled in  
29 a public school ~~and~~ who has, within 12 months prior to first becoming a student in such  
30 school, moved across state or school district lines with a migrant parent or guardian to  
31 enable the child, the child's parent or guardian, or a member of the child's immediate  
32 family to obtain temporary or seasonal employment ~~in an agricultural or fishing activity.~~

33 (4) 'Student living in poverty' means a student enrolled in a public school who meets one  
34 or more of the following criteria:

35 (A) Lives in a family unit directly certified to be receiving SNAP (Food Stamp)  
36 benefits;

37 (B) Lives in a family unit directly certified to be receiving TANF benefits;

38 (C) Is a homeless student;

39 (D) Is a foster care student; or

40 (E) Is a migrant student.

41 (b) The State Board of Education shall provide grants to qualified local units of  
42 administration for the purpose of supplementing services and instruction to ~~currently~~  
43 ~~enrolled migrant students living in poverty, subject to appropriation by the General~~  
44 Assembly. Such grants shall be provided beyond those funds to which local units of  
45 administration otherwise are entitled by the provisions of this article and other statutes.  
46 The State ~~Department~~ Board of Education ~~by regulation~~ shall establish rules and  
47 regulations relating to the manner in which a local unit of administration must demonstrate  
48 that any of its schools ~~meets the eligibility requirements of this subsection~~ it is eligible to  
49 receive a grant under this Code section.

50 (c) ~~Grants under this Code section shall be subject to appropriation by the General~~  
51 ~~Assembly. The Department of Education shall calculate the grant amount for a each~~ local  
52 unit of administration to be used ~~for a school thereof~~ under this Code section ~~shall be~~  
53 ~~determined by multiplying the total appropriation for such grants by a fraction, the~~  
54 ~~numerator of which is the average number of eligible migrant students enrolling in that~~  
55 ~~school after the final FTE count as required in subsection (a) of Code Section 20-2-160 but~~  
56 ~~prior to the end of the same academic year and the denominator of which is the average~~  
57 ~~total number of eligible migrant students enrolling after the final FTE count as required in~~  
58 ~~subsection (a) of Code Section 20-2-160 but prior to the end of the same academic year in~~  
59 ~~all local units in the entire state~~ number of students living in poverty enrolled in such local  
60 unit of administration as of the date of the initial enrollment count each year as set forth in  
61 Code Section 20-2-160 by an amount equal to 25 percent of the base amount calculated as  
62 set forth in Code Section 20-2-161. At least 90 percent of the grant funds received by a  
63 local unit under this Code section shall be used for direct program expenditures ~~at the~~  
64 ~~school~~ for the benefit of the students living in poverty for which the grant is computed  
65 under this ~~subsection~~ Code section. Any portion of that 90 percent not so expended shall  
66 be returned to the State ~~Department~~ Board of Education."

67

**SECTION 3.**

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