

SCHOOL CHOICE MATTERS

Georgia Policy Report

Introduction

PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



[Transportation](#)

CORE POLICIES



Open Enrollment in Georgia

| POLICY | RATING | POLICY OVERVIEW |
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| <p>Transfers Between Districts</p> | <p>LIMITED</p> <p>Sending and/or receiving districts have discretion over transfers</p> | <p>Georgia Code provides that the State Board is authorized to establish a procedure whereby a student, for compelling reasons and circumstances, may be permitted to attend a public school of a local unit of administration other than the local unit of administration where the student resides, provided the receiving district is willing to receive and permit the student to enroll.</p> <p>(O.C.G.A. § 20-2-293 Student attending school in system other than system of student's residence)</p> <p>Georgia Code and Administrative Code provide for interdistrict open enrollment relating to transportation time or distance. Rules require the approval of both the sending and receiving local boards of education, and the following must be met:</p> <ul style="list-style-type: none"> • A school in another district is closer to the student’s place of residence than the school to which the student has been assigned; • The actual transportation time or distance on a bus one way to the school where the student has been assigned is determined to be excessive in terms of travel time or distance; • The school to which the student is requesting reassignment is offering an instructional program comparable to that offered in the school where the student was originally assigned; • The requested reassigned school has available permanent classroom space; • The parent or guardian assumes responsibility for providing transportation. <p>(O.C.G.A. § 20-2-294 Permanent classrooms; student commuting distance; reassignment; cost of transportation; Georgia Admin. Code Rule 160-5-4-.09 Limited Public School Choice)</p> |

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| <p>Transfers Within Districts</p> | <p>YES</p> <p>Mandatory policy allowing students to transfer schools.</p> | <p>Georgia Code provides for intradistrict transfers. Parents of students enrolled in an elementary or secondary school may elect to enroll their student in a public school that is located within the school system in which the student resides other than the one to which the student has been assigned by the local board of education, so long as there is classroom space.</p> <p>All local school systems in the state are required to establish a universal, streamlined process to implement the transfer requirements.</p> <p>(O.C.G.A. § 20-2-2131 Enrollment of students in school to which not originally assigned; procedure; annual notification; exception)</p> <ul style="list-style-type: none"> • Georgia has enacted Administrative Rules relating to intradistrict transfers. <p>Georgia Administrative Code requires the following before a student is reassigned to another school within the district where the student resides:</p> <ul style="list-style-type: none"> • The school to which the student has been assigned does not have available permanent classroom space and the student is assigned to nonpermanent classroom facilities for instruction; • Another school within the district has permanent classroom space available; • The parent of the student submits a written request to the local board of education asking for the student to be reassigned; and • The parent assumes responsibility for providing transportation for the student if the request is granted. <p>(Georgia Admin. Code Rule 160-5-4-.09 Limited Public School Choice)</p> |
| <p>Year-round Transfer Window</p> | <p>LIMITED</p> <p>Restricted transfer window</p> | <p>Georgia Code does not specify the transfer window – statute requires each local school system to provide annual notification to parents of the options available relating to transfer and include all relevant dates and deadlines.</p> <p>(O.C.G.A. § 20-2-2131 Enrollment of students in school to which not originally assigned; procedure; annual notification; exception)</p> |
| <p>Tuition-Free Public Schools</p> | <p>LIMITED</p> <p>Tuition can be charged</p> | <p>Georgia Code and Administrative Rules do not address charging parents tuition for interdistrict student transfers.</p> <p>Georgia Administrative Code provides that if the local boards of education do agree to the reassignment, the state and federal funds earned by those students will be reallocated to the receiving school system.</p> |

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| | | (Georgia Admin. Code Rule 160-5-4-.09 Limited Public School Choice) |
| School Capacity Transparency | LIMITED Only some information reported | Georgia Code establishes that local school systems must notify parents each year regarding schools which have available space for transfers and to which of the schools parents may choose to request a transfer for their children. (O.C.G.A. § 20-2-2131 Enrollment of students in school to which not originally assigned; procedure; annual notification; exception) |
| Transfer Data Transparency | NO No transparency in data reporting | Georgia Code does not require the Georgia Department of Education to collect and publicly report district-level open enrollment data. |
| Transparent Appeal Process | YES | According to Administrative Code, if parties to a transfer are unable to reach a satisfactory agreement regarding a request to reassign a student to another school, the parent or guardian may request an appeal of the decision made by the local board of education. (Georgia Admin. Code Rule 160-5-4-.09 Limited Public School Choice) |

SOURCE CITATIONS

Statutes

[O.C.G.A. § 20-2-293 Student attending school in system other than system of student's residence](#)

[O.C.G.A. § 20-2-294 Permanent classrooms; student commuting distance; reassignment; cost of transportation](#)

[O.C.G.A. § 20-2-2131 Enrollment of students in school to which not originally assigned; procedure; annual notification; exception](#)

Administrative Code

[Georgia Admin. Code Rule 160-5-4-.09 Limited Public School Choice](#)



Charter Schools in Georgia

| POLICY | RATING | POLICY OVERVIEW |
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| <p>Multiple Charter Authorizers</p> | <p>LIMITED</p> <p>No real authorizer options</p> | <p>Georgia Code provides for several charter authorizers, including the following:</p> <ul style="list-style-type: none"> for contracts between a local board and a charter petitioner, the terms will be approved by the local board and the state board in the case of a local charter school; for contracts between the state board and a charter petitioner, the terms will be approved by the state board in the case of a state chartered special school; for contracts between a local board and the state board, the terms will be approved by the state board in the case of a charter system. <p>(O.C.G.A. § 20-2-2062 Definitions; O.C.G.A. § 20-2-2063.2 Charter systems)</p> <ul style="list-style-type: none"> Georgia has promulgated rules to implement the statutes relating to charter schools. <p>The Administrative Code confirms the types of authorizers identified in statute.</p> <p>Note that Georgia Code also requires the State Board of Education and State Charter Schools Commission to jointly establish a code of principles and standards of charter school authorizing to guide local boards of education, the state board, and the State Charter Schools Commission in meeting high-quality authorizing practices.</p> <p>In 2025, Georgia passed a bill that would provide districts with a \$250,000 incentive grant for approving and authorizing new charter schools in their district.</p> <p>(Senate Bill 2025-82)</p> |

Charter Appeal Process

LIMITED

Restrictive appeals process

[20-2-2084 Petition for charter schools; requirements of school; governing board membership; annual training; simultaneous service prohibited](#)

For state charter schools, the petition must first be submitted to the local board of education. If the local board of education denies the petition, the commission can then act on the petition and will then approve or deny the charter school.

- 2) For petitions for state charter schools with a defined attendance zone, the petitioner shall concurrently submit such petition to the commission, to the local board of education in which the school is proposed to be located, and to each local school system from which the proposed school plans to enroll students. The commission shall not act on a petition unless the local board of education in which the school is proposed to be located denies the petition; provided, however, that such local board shall approve or deny the petition no later than 90 days after its submission, as required pursuant to subsection (b) of Code Section 20-2-2064, unless the petitioner requested an extension. Failure to approve or deny such petition by such local board, in violation of Code Section 20-2-2064, shall be deemed a denial for purposes of this paragraph. A local board that has denied a petition for a state charter school shall be permitted to present to the commission in writing or in person the reasons for denial and the deficiencies in such petition resulting in such denial.
- 3) The commission may consider any support or opposition by the local board of education or local boards of education on the start-up charter school petition when it votes to approve or deny a corresponding state charter school petition.

Local boards that deny petition must, within 60 days, specifically state the reasons for the denial, list the deficiencies, and provide a written statement of denial to the charter petitioner and the state board. Georgia Code offers the following options for an authorizer denial:

- A charter petitioner seeking to create a conversation charter school that submits a petition to the local board will be allowed to resubmit a petition to address deficiencies cited in the denial;
- A charter petitioner seeking to create a start-up charter school that submits a petition to the local board will be allowed to resubmit a petition to address deficiencies cited in the denial;
- A system charter school 's governing council may petition the local charter system board to become a conversion charter school. A vote on the petition must occur within 90 days. A revised petition may be submitted as necessary.

Georgia Code provides that the state board or Charter Advisory Committee may mediate between the local board and a charter petitioner whose petition was denied to assist in resolving issues which led to denial of the petition by the local board.

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| | | <p>(O.C.G.A. § 20-2-2064 Approval or denial of petition)</p> <ul style="list-style-type: none"> Georgia has promulgated rules to implement the statutes relating to charter schools. <p>The Administrative Code provides for four groups of application decisions, which includes the next steps for resubmitting a petition. For example:</p> <ul style="list-style-type: none"> Rejection Group – application is flawed in a way that is irreparable and will be rejected. New applications may be submitted in the following school year. Revision Group – material revisions must occur in order to be approved. Applicants have one opportunity to revise applications and if this is not done, a new application may be submitted in the following school year. Clarification Group – clarification and supplemental information is required. Applicants have one opportunity to provide clarification and/or supplemental information and if this is not done, a new application may be submitted in the following school year. Approval Group – Recommendation is made to the local board for approval of the petition without any further action required. <p>Georgia Administrative Rules confirm that a petition may request mediation by submitting a written request to the State Board of Education.</p> <p>(Georgia Admin. Code Rule 160-4-9-.05 Charter Schools Petition Process)</p> <p>The Administrative Code does not provide for an appeals process for applications denied by the State Board and State Charter Schools Commission.</p> |
| <p>Charter Regulatory Flexibility</p> | <p>LIMITED Some or no exemptions</p> | <p>Georgia Code explains that a charter school is not subject to the provisions of law or any state or local rule, regulation, policy, or procedure, outside of rules specifically created by the State Board that relate to charter schools.</p> <p>Note that Georgia requires, in exchange for waivers, charter schools to agree to meet or exceed the performance-based goals included in the charter and approved by the local board; or for the charter system, the system agrees to meet or exceed the system-wide performance-based goals included in the charter and approved by the State Board.</p> <p>Georgia Code provides that charters are subject to all federal, state, and local rules, regulations, court orders, and statutes relating to civil rights, insurance, the protection of the physical health and safety of school students, employees, and visitors, conflicting interest transactions, and the prevention of unlawful conduct. Schools are</p> |

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| | | <p>subject to all laws relating to unlawful conduct in or near a public school and to annual financial audits. Schools are subject to reporting requirements in statute, and the requirement that the school must not charge tuition or fees to students, except as authorized by local boards under statute. Schools are subject to statutes relating to brief periods of quiet reflection, annual performance evaluations, fingerprint and criminal background checks, individual graduation plans, and early intervention programs.</p> <p>(O.C.G.A. § 20-2-2065 Waiver of provisions of this title; requirements for operating; control and management)</p> <ul style="list-style-type: none"> Georgia has promulgated rules to implement the statutes relating to charter schools. <p>The Administrative Code provides that schools must include in their charter a description of how the school will use its broad flexibility from laws, rules, and regulations. Administrative Rules confirm the statutes and regulations that schools are subject to.</p> <p>(Georgia Admin. Code Rule 160-4-9-.05 Charter Schools Petition Process)</p> |
| <p>Equitable Charter Funding</p> | <p>LIMITED</p> <p>Disparities Exist</p> | <p>Georgia allows for two types of charter schools: state -authorized and local school district -authorized charter schools.</p> <p>Georgia Code makes clear that local charter schools are to be included in the allotment of QBE formula earnings, applicable QBE grants, applicable non-QBE state grants, and applicable federal grants to the local school system in which the charter is located under statute. Further conversion charter schools and start-up charter schools must be treated no less favorably than other local schools within the system, including with respect to the provision of funds for instruction, school administration, transportation, food services, and where feasible, building programs.</p> <p>Further, local revenue is to be allocated to a local charter school on the same basis as for any other local school in the system.</p> <p>Note, however, that for newly approved local charter schools, the local board may retain an amount of the charter school’s per pupil share of state and local funding, not to exceed 3% of the total funds earned to reimburse the local school system for administrative services provided to the charter school.</p> <p>(O.C.G.A. § 20-2-2068.1 Charter school funding)</p> <ul style="list-style-type: none"> Georgia has promulgated rules to implement the statutes relating to charter schools. |

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| | | <p>Administrative Code confirms that charter schools in the state are eligible for federal, state, and local funds, as established in Georgia Code.</p> <p>(Georgia Admin. Code Rule 160-4-9-.06 Charter Authorizers, Financing, Management, and Governance Training)</p> <p>However, state authorized charter schools do not receive any local funding. Instead, Georgia provides a state supplement grant, which is often below the level of local funding, creating a substantial funding disparity between the charter school and traditional school district.</p> <p>For further information on differences in charter operations funding, please see the ExcelinEd study Building for Success in Georgia 2024 (2024)***Link not yet available***</p> |
| <p>Charter Facilities Funding</p> | <p>LIMITED</p> <p>Some or no facilities funding</p> | <p>For state -authorized charter schools, the state provides a facility grant which is nearly equal to the local facility funding for traditional public schools. Locally authorized charter schools do not receive a capital grant as they are funded by local property taxes.</p> <p>(O.C.G.A. § 20-2-2068.1 Charter school funding)</p> <p>Georgia does not currently provide any support for charter schools to secure more affordable financing so that they can purchase or build their own facilities.</p> <p>(O.C.G.A. § 20-2-2068.2 Facilities grants for charter schools; purposes for which grants may be used; upkeep of charter school property; availability of unused facilities)</p> <ul style="list-style-type: none"> • Georgia has promulgated rules to implement the statutes relating to charter schools. <p>Administrative Code confirms that charter school facilities funds should be awarded, per Georgia Code.</p> <p>(Georgia Admin. Code Rule 160-4-9-.06 Charter Authorizers, Financing, Management, and Governance Training)</p> <p>For further information on differences in charter operations funding, please see the ExcelinEd study Building for Success in Georgia 2024 (2024)***Link not yet available***</p> |
| <p>Options for High-Performing Charters</p> | <p>LIMITED</p> <p>No opportunities for high-performing charter schools</p> | <p>It is not clear that Georgia Code and Administrative Rules offer incentives and favorable regulatory environment to attract and reward high-performing charters.</p> <p>Georgia Code provides for Strategic Waivers School Systems (SWSS) – charter schools can convert to joint SWSS districts. Under</p> |

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| | | <ul style="list-style-type: none"> Georgia has promulgated rules to implement SWSS districts. <p>The Administrative Code provides that in exchange for increased flexibility (waivers) the LEA is requesting, the specific Strategic Waivers contract proposal must include a commitment to meet the performance goals.</p> <p>(Georgia Admin. Code Rule 160-5-1-.33 Strategic Waivers and Title 20/No Waivers School Systems)</p> |
| <p>Charter Zoning Exemptions</p> | <p>LIMITED</p> <p>Less than full protections</p> | <p>Guidance from the Georgia State Charter School Commission provides that state charter schools must adhere to all applicable zoning, planning, and building permitting requirements when constructing or renovating a facility.</p> <p>(State Charter Schools Commission of Georgia, The Legal Obligations of Operating a State Charter School as Local Educational Agency (LEA))</p> |

SOURCE CITATIONS

| Statutes | Administrative Code | State Department of Education | Other Resources |
|--|---|---|---|
| <p>O.C.G.A. Title 20, Ch. 2, Art. 31 Charter Schools Act of 1998</p> | <p>Georgia Admin. Code Rules 160-4-9-.04, et al. Charter Schools and Charter Systems Definitions</p> <p>Georgia Admin. Code Rule 160-5-1-.33 Strategic Waivers and Title 20/No Waivers School Systems</p> | <p>Georgia Department of Education, Charter Schools</p> | <p>State Charter Schools Commission of Georgia, The Legal Obligations of Operating a State Charter School as Local Educational Agency (LEA)</p> |



Private School Choice in Georgia

| POLICY | OVERALL RATING | PROGRAM OVERVIEW | |
|------------------------------|--|-----------------------|--|
| <p>Universal Eligibility</p> | <p>LIMITED</p> <p>Eligibility less than 100%</p> <p><i>Scoring is calculated based off % of all students served</i></p> | <p>LIMITED</p> | <p>Georgia Promise Scholarship Act</p> <p>In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>Students qualify for a promise scholarship account if the following are met:</p> <ul style="list-style-type: none"> • The student’s parent resides within Georgia and has been a resident of the state for at least 1 year, with some exceptions for parents who are active-duty military service members stationed in Georgia; • The student is currently enrolled and has been continuously enrolled in a Georgia public school for at least 2 consecutive enrollment counts; • The student resides in the attendance zone of a public school that is included on a list of enumerated schools; • The student’s family income must not exceed 400% of the federal poverty level. <p>Students who are receiving a scholarship under the Special Needs Scholarship Act or receiving a scholarship, tuition grant, or other benefit from a student scholarship organization are ineligible to receive this scholarship.</p> <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> |
| | | <p>LIMITED</p> | <p>Special Needs Scholarship Program</p> <p>Georgia Code creates the Special Needs Scholarship Program.</p> <p>(O.C.G.A. Title 20, Ch. 2, Art. 33 Scholarship Program for Special Needs Students)</p> <p>Statute outlines the following requirements for students in order to qualify for a Special Needs Scholarship:</p> |

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| | | | <ul style="list-style-type: none"> • The student’s parent must currently live in the state and have been a Georgia resident for at least one year – this does not apply for parents who are active-duty military service members stationed in Georgia within the previous year; • Student has spent the prior school year in attendance at a Georgia public school or received preschool special education or related services under Section 619 of Part B of the IDEA, with some exceptions; • The student must have an IEP written in accordance with federal and state laws and regulations; or • The student must have a section 504 plan, with certain enumerated conditions. • Parents must ensure acceptance has been granted to a participating school and must submit scholarship applications to the department. <p>(O.C.G.A. § 20-2-2114 Qualifications for scholarship; financial responsibility; state-wide assessments; exception; compliance)</p> <ul style="list-style-type: none"> • Georgia Code 20-2-2117 requires the Board to adopt rules to administer the program. <p>Georgia Administrative Rules confirm these requirements in law.</p> <p>(Georgia Admin. Code Rule 160-5-1-.34 Georgia Special Needs Scholarship Program)</p> |
| | | <p>LIMITED</p> | <p>Qualified Education Expense Tax Credit Georgia Code creates the Qualified Education Expense Tax Credit.</p> <p>(O.C.G.A. Title 20, Chapter 2A Student Scholarship Organizations)</p> <p>“Eligible student” is defined in the law to mean a student who is a Georgia resident who, immediately prior to receiving a scholarship under statute and enrolling in a qualified school or program, was enrolled in and attended for at least 6 weeks a Georgia secondary or primary public school or who is eligible to enroll in a qualified PreK-1st grade program. A student deemed eligible under this statute will continue to qualify until he or she graduates, reaches the age of 20, or returns to a public school, whichever happens first.</p> <p>Note that the Code provides that the enrollment and 6-week public school attendance requirements are waived for students who, based on their school attendance zone, would be assigned to a public school that would be a low-performing school, is the subject of officially documented cases of school-based physical violence or student related verbal abuse</p> |

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| | | | <p>threatening physical harm, or was enrolled in a home study program that meets certain statutory requirements.</p> <p>(O.C.G.A. § 20-2A-1 Definitions)</p> <ul style="list-style-type: none"> Georgia Code does not require the State Board to promulgate rules relating to this program. |
| <p>Comparable Student Funding</p> | <p>LIMITED</p> <p>Funding below 90%</p> <p><i>Scoring is calculated based off program with largest number of students (Qualified Education Expense Tax Credit)</i></p> | <p>LIMITED</p> | <p>Georgia Promise Scholarship Act In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>The total amount of state funds that are allocated to the program each fiscal year must not exceed 1% of the total appropriation for the Quality Basic Education Program in the General Appropriations Act from the previous fiscal year.</p> <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> |
| | | <p>LIMITED</p> | <p>Special Needs Scholarship Program EdChoice notes the following:</p> <p>54% is the value as a percentage of public school per-student spending.</p> <p>(EdChoice, The ABCs of School Choice: Georgia (2024 Edition))</p> |
| | | <p>LIMITED</p> | <p>Qualified Education Expense Tax Credit EdChoice notes the following:</p> <p>36% is the value as a percentage of public school per-student spending.</p> <p>(EdChoice, The ABCs of School Choice: Georgia (2024 Edition))</p> |

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| <p>Uncapped Student Access</p> | <p>LIMITED</p> <p>Funding or enrollment cap</p> <p><i>Scoring is calculated based off program with largest number of students (Qualified Education Expense Tax Credit)</i></p> | <p>LIMITED</p> | <p>Georgia Promise Scholarship Act</p> <p>In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>The account funds granted to each participating student will be \$6,500 for the first school year. After that, the amount of account funds granted to each participating student must reflect austerity adjustments.</p> <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> <p><u>20-2B-24.</u></p> <p>(a)(1) The total amount of state funds allotted to the program each fiscal year shall not exceed 1 percent of the total appropriation for the Quality Basic Education Program in the General Appropriations Act from the previous fiscal year.</p> <p>Legislators appropriated \$141 million to fund Promise Scholarships in the 2025-26 school year.</p> <p>(Georgia General Assembly, House Budget & Research Office)</p> |
| | <p>YES</p> | <p>Special Needs Scholarship Program</p> <p>Georgia Code does have a funding cap – the maximum scholarship granted is equal to the costs of the educational program that would have been provided for the student in the resident school system. If the student has an IEP, the maximum amount of the scholarship will be based upon services specified in the Individualized Education program in place at the time of the most recent enrollment count.</p> <p>The amount of the scholarship is the lesser of the amount calculated above or the amount of the participating school’s tuition and fees, which include fees for:</p> <ul style="list-style-type: none"> • Student assessment; • Uniforms; • Physical therapy, speech therapy, or occupational therapy; • Transportation provided by the participating school; • Meals; • Summer school programs; • Tutoring; and | |

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| | | | <ul style="list-style-type: none"> Other materials, services, or activities as authorized by the department. <p>(O.C.G.A. § 20-2-2116 Amount of scholarship; method of payments)</p> <ul style="list-style-type: none"> Georgia Code 20-2-2117 requires the Board to adopt rules to administer the program. <p>Georgia Administrative Rules do not address funding or enrollment caps.</p> |
| | | <p>LIMITED</p> | <p>Qualified Education Expense Tax Credit</p> <p>While Georgia Code does not provide for an enrollment cap, the state has established a maximum amount that may be given to scholarship students.</p> <p>Statutes provide that the maximum scholarship amount given by the student scholarship organization in any given year must not exceed the average state and local expenditures per student in fall enrollment in public elementary and secondary education for the state. The Department of Education is obligated to publish this amount annually.</p> <p>(O.C.G.A. § 20-2A-2 Requirements for student scholarship organizations)</p> <ul style="list-style-type: none"> Georgia Code does not require the State Board to promulgate rules relating to this program. <p>The maximum scholarship amount from January 1, 2024, through December 31, 2024, totals \$12,857.00.</p> <p>(Georgia Department of Education, SSO Scholarship Cap for 2024)</p> <p>There's a \$120M tax credit cap for 2024</p> <p>Qualified Education Expense Tax Credit Department of Revenue (georgia.gov)</p> |
| <p>Extended Application Window</p> | <p>YES</p> <p><i>Scoring is calculated based off program with largest number of students</i></p> | <p>LIMITED</p> | <p>Georgia Promise Scholarship Act</p> <p>In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>Georgia Code requires parents to submit applications no later than the deadline established by the education savings authority. The education savings authority must provide quarterly application periods and deadlines.</p> |

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| | <p><i>(Qualified Education Expense Tax Credit)</i></p> | | <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> |
| | | <p>LIMITED</p> | <p>Special Needs Scholarship Program Georgia Code provides that parents must submit applications for these scholarships on a timeline established by the Department of Education.</p> <p>(O.C.G.A. § 20-2-2114 Qualifications for scholarship; financial responsibility; state-wide assessments; exception; compliance)</p> <ul style="list-style-type: none"> Georgia Code 20-2-2117 requires the Board to adopt rules to administer the program. <p>Georgia Administrative Rules require parents to submit applications for eligible students by September 15, December 15, and February 15 during a school year.</p> <p>(Georgia Admin. Code Rule 160-5-1-.34 Georgia Special Needs Scholarship Program)</p> |
| | | <p>YES</p> | <p>Qualified Education Expense Tax Credit Georgia Code does not provide information on the scholarship application process.</p> <p>The Georgia Department of Education provides a list of scholarship organizations that participate in the program – each of which provides further details on student applications.</p> <p>(See Georgia Department of Education, SSO List (Updated 3/13/2024))</p> |
| <p>Student Testing Options</p> | <p>LIMITED</p> <p>Rigid mandates, multiple tests, or no accountability</p> <p><i>Scoring is calculated based off program with largest number of students</i></p> <p><i>(Qualified Education Expense Tax Credit)</i></p> | <p>YES</p> | <p>Georgia Promise Scholarship Act In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>Georgia Code provides that private schools must ensure that at least one of the following is administered each school year to participating students:</p> <ul style="list-style-type: none"> A nationally norm-referenced test approved by the education savings authority; or A state-wide assessment, if the student is enrolled in a grade for which such state-wide assessment is administered. <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> |

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| | | <p>LIMITED</p> | <p>Special Needs Scholarship Program Georgia Code establishes that parents may request scholarship students to take the statewide assessments pursuant § 20-2-281 Student Assessments. The resident school system must provide the student locations and times to take the assessments.</p> <p>(O.C.G.A. § 20-2-2114 Qualifications for scholarship; financial responsibility; state-wide assessments; exception; compliance)</p> <ul style="list-style-type: none"> Georgia Code 20-2-2117 requires the Board to adopt rules to administer the program. <p>Georgia Administrative Rules provide that private schools must administer valid and reliable pre- and post-academic assessments to Special Needs Scholarship Program students. The results must be reported in writing to the parent and the Georgia Department of Education. Rules do not specify specific tests that must be administered.</p> <p>(Georgia Admin. Code Rule 160-5-1-.34 Georgia Special Needs Scholarship Program)</p> |
| | | <p>LIMITED</p> | <p>Qualified Education Expense Tax Credit Georgia Code does not provide for academic testing requirements of choice students.</p> |
| <p>School Autonomy</p> | <p>LIMITED</p> <p>Silent language or adverse regulations</p> <p><i>Scoring is calculated based off program with largest number of students</i> <i>(Qualified Education Expense Tax Credit)</i></p> | <p>YES</p> | <p>Georgia Promise Scholarship Act In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>Georgia Code sections establishing the Georgia Promise Scholarship program specify that schools desiring to participate must be insured and have sufficient capital or credit to operate for the upcoming school year; meet certain reporting requirements; comply with antidiscrimination provisions of federal law; comply with all health and safety laws or codes that apply to private schools; comply with all provisions applicable to private schools; and be located in Georgia.</p> <p>The new statute specifies that the creation of the program “shall not be construed to expand the regulatory authority of the state, its officers, or any local school system to impose any additional regulation of nonpublic schools beyond those reasonably necessary to enforce the requirements” of the statute. The education savings authority may not require a participating school to “alter such school’s or provider’s creed, practices, admission policies, employment policies, or curricula in order to receive account funds under the program.”</p> |

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| | | | <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> |
| | | <p>LIMITED</p> | <p>Special Needs Scholarship Program Georgia Code establishes that participating schools must meet the following requirements:</p> <ul style="list-style-type: none"> • Demonstrate fiscal soundness by being in operation for one school year or by submitting a financial information report for the school; • Comply with antidiscrimination provisions of federal law; • Comply with all health and safety laws or codes that apply to private schools; • Comply with all provisions of Georgia law relating to the requirements for private schools (O.C.G.A. § 20-2-690 Educational entities; requirements for private schools and home study programs; learning pod protection) and other state law applicable to private schools; <ul style="list-style-type: none"> ○ Georgia Code 20-2-690 provides as follows: “Private schools” are established in Georgia Code and must meet certain criteria and requirements, as follows: <ul style="list-style-type: none"> • The primary purpose of the institution must be to provide education; • The institution must be privately controlled and operate on a continuing basis; • The institution must provide instruction each 12 months for the equivalent of 180 school days of education, with each school day including at least 4.5 school hours; • The institution must provide a basic academic educational program which includes reading, language arts, mathematics, social studies, and science; • Any building must meet all health and safety standards established under state law and local ordinances. • Teachers must hold bachelor’s degrees or higher degrees and have at least three years of experience in education or health and annually provide to the parents the relevant credentials of teachers who will be teaching their students. <p>(O.C.G.A. § 20-2-2115 Eligibility requirements for schools participating in scholarship program; application of participating school)</p> <ul style="list-style-type: none"> ○ Georgia Code 20-2-2117 requires the Board to adopt rules to administer the program. |

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| | | | <p>Georgia Administrative Rules confirm that private schools must comply with Georgia Code sections 20-2-690 and 20-2-2115. Rules also specify that before a teacher is assigned to an eligible student, the private school must conduct a background check of the teacher to ensure the employee has not been convicted of a crime that would invalidate their acceptability for employment.</p> <p>(Georgia Admin. Code Rule 160-5-1-.34 Georgia Special Needs Scholarship Program)</p> |
| | | <p>LIMITED</p> | <p>Qualified Education Expense Tax Credit</p> <p>“Qualified schools or programs” are defined in Code to mean a nonpublic pre-kindergarten program, primary school, or secondary school that is located in the state, adheres to the provisions of the federal Civil Rights Act of 1964, and satisfies the requirements prescribed by law for private schools in the state.</p> <p>(O.C.G.A. § 20-2A-1 Definitions)</p> <p>“Private schools” are established in Georgia Code and must meet certain criteria and requirements, as follows:</p> <ul style="list-style-type: none"> • The primary purpose of the institution must be to provide education; • The institution must be privately controlled and operate on a continuing basis; • The institution must provide instruction each 12 months for the equivalent of 180 school days of education, with each school day including at least 4.5 school hours; • The institution must provide a basic academic educational program which includes reading, language arts, mathematics, social studies, and science; • Any building must meet all health and safety standards established under state law and local ordinances. <p>(O.C.G.A. § 20-2-690 Educational entities; requirements for private schools and home study programs; learning pod protection)</p> |

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| <p>Accessible School Participation</p> | <p>LIMITED</p> <p>Accreditation requirement</p> <p><i>Scoring is calculated based off program with largest number of students (Qualified Education Expense Tax Credit)</i></p> | <p>LIMITED</p> | <p>Georgia Promise Scholarship Act</p> <p>In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>The Georgia Promise Scholarship Act requires private participating schools to be accredited or in the process of becoming accredited by a recognized accrediting agency, including by the following entities:</p> <ul style="list-style-type: none"> • The Southern Association of Colleges and Schools; • The Georgia Accrediting Commission; • The Georgia Association of Christian Schools; • The Association of Christian Schools International; • The Georgia Private School Accreditation Council; • The Southern Association of Independent Schools; or • The Georgia Independent School Association <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024); O.C.G.A. § 20-3-519 HOPE Scholarships and Grants - Definitions)</p> |
| | | <p>LIMITED</p> | <p>Special Needs Scholarship Program</p> <p>Georgia Statute defines “participating school” to mean a “private school that has notified the department of its intention to participate in the program, and that complies with the department’s regulations.”</p> <p>Further, “private school” means a nonpublic school, sectarian or nonsectarian, which is accredited or in the process of becoming accredited by one or more of the following entities:</p> <ul style="list-style-type: none"> • The Southern Association of Colleges and Schools; • The Georgia Accrediting Commission; • The Georgia Association of Christian Schools; • The Association of Christian Schools International; • The Georgia Private School Accreditation Council; • The Southern Association of Independent Schools; or • The Georgia Independent School Association |

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| | | | <p>(O.C.G.A. § 20-2-2112 Definitions; O.C.G.A. § 20-3-519 HOPE Scholarships and Grants - Definitions)</p> <ul style="list-style-type: none"> Georgia Code 20-2-2117 requires the Board to adopt rules to administer the program. <p>Georgia Administrative Rules confirm the accreditation requirements established in Georgia Code.</p> <p>(Georgia Admin. Code Rule 160-5-1-.34 Georgia Special Needs Scholarship Program)</p> |
| | | <p>LIMITED</p> | <p>Qualified Education Expense Tax Credit</p> <p>Georgia Statute defines “qualified school or program” to mean a nonpublic pre-K program, primary school, or secondary school that is accredited or in the process of becoming accredited by one or more of the following entities:</p> <ul style="list-style-type: none"> The Southern Association of Colleges and Schools; The Georgia Accrediting Commission; The Georgia Association of Christian Schools; The Association of Christian Schools International; The Georgia Private School Accreditation Council; The Southern Association of Independent Schools; or The Georgia Independent School Association <p>Further, statute specifies that qualified schools or programs must be located in the state, adhere to the provisions of the federal Civil Rights Act of 1964, and satisfies the requirements by law for private schools in the state.</p> <p>(O.C.G.A. § 20-2A-1 Definitions; O.C.G.A. § 20-3-519 HOPE Scholarships and Grants - Definitions)</p> |

ESAs and Parent-Directed Spending

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| <p>Freedom to Customize</p> | <p>YES</p> | <p>In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>Qualified education expenses include the following:</p> <ul style="list-style-type: none"> • Tuition, fees, and required textbooks for eligible core courses and eligible CTAE courses at a participating school, accredited community college or postsecondary education institution, or nonpublic online learning program or course; • Tutoring services; • Payment for the purchase of a curriculum; • Services from a physical or therapist, including occupational, behavioral, physical, or speech-language therapies; • Transportation (no more than \$500 per year); • Fees for the management of account funds; • Other expenses authorized by the State Board, education savings authority, or a majority of the parent review committee. <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> |
| <p>Freedom to Access</p> | <p>YES</p> | <p>Through the Georgia Special Needs Scholarship Program and Qualified Education Expense Tax Credit students may receive scholarships to attend private schools.</p> <p>(See O.C.G.A. Title 20, Ch. 2, Art. 33 Scholarship Program for Special Needs Students and O.C.G.A. Title 20, Chapter 2A Student Scholarship Organizations)</p> <p>Through the newly created Georgia Promise Scholarship Act, the state creates accounts that are consumer directed accounts, composed of state funds deposited on behalf of a participating student and which may be used for qualified education expenses.</p> <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> |

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| | | <p>Georgia Promise Scholarship Act In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>Students qualify for a promise scholarship account if the following are met:</p> <ul style="list-style-type: none"> • The student’s parent resides within Georgia and has been a resident of the state for at least 1 year, with some exceptions for parents who are active-duty military service member stationed in Georgia; • The student is currently enrolled and has been continuously enrolled in a Georgia public school for at least 2 consecutive enrollment counts; • The student resides in the attendance zone of a public school that is included on a list of enumerated schools; • The student’s family income must not exceed 400% of the federal poverty level. <p>Students who are receiving a scholarship under the Special Needs Scholarship Act or receiving a scholarship, tuition grant, or other benefit from a student scholarship organization are ineligible to receive this scholarship.</p> <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> |
| <p>Carry-Over Funding</p> | <p>YES</p> | <p>In 2024, the Georgia Legislature enacted the Georgia Promise Scholarship Act.</p> <p>Georgia Code provides that participating students are eligible to receive the account funds until the student returns to a public school, graduates from high school, or reaches the age of 20 years.</p> <p>(O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature (2024))</p> |

Tax Credits

Full Tax Credit

YES

Georgia Code offers a dollar-for-dollar credit for donations to student scholarship organizations for the Qualified Education Expense Tax Credit, with some limitations as follows:

- Single individual or head of household: actual amount expended or \$2,500 per tax year, whichever is less;
- Married couple filing a joint return: actual amount expended or \$5,000 per tax year, whichever is less
- And other similar calculations for corporations and other entities.

[\(O.C.G.A. § 48-7-29.16 Tax credits for contributions to student scholarship organizations\)](#)

The Qualified Education Expense Credit Cap is \$120 million, as of March 26, 2024.

[\(Georgia Department of Revenue, 2024 Qualified Education Expense Tax Credit – cap status 03-26-2024\)](#)

SOURCE CITATIONS

Statutes

[O.C.G.A. Title 20, Ch. 2, Art. 33 Scholarship Program for Special Needs Students](#)

[O.C.G.A. Title 20, Chapter 2A Student Scholarship Organizations](#)

[O.C.G.A. Title 20, Chapter 2B Georgia Promise Scholarship Act, as added by Senate Bill 233, Georgia Legislature \(2024\)](#)

[O.C.G.A. § 48-7-29.16 Tax credits for contributions to student scholarship organizations](#)

Administrative Code

[Georgia Admin. Code Rule 160-5-1-.34 Georgia Special Needs Scholarship Program](#)

State Department of Education

[Georgia Department of Education, Georgia Private School Tax Credit](#)

[Georgia Department of Education, Special Needs Scholarship Program](#)

[Georgia Department of Education, SSO List \(Updated 3/13/2024\)](#)

[Georgia Department of Education, SSO Scholarship Cap for 2024](#)

Other Resources

[Georgia Department of Revenue, Qualified Education Expense Tax Credit](#)

[EdChoice, The ABCs of School Choice: Georgia \(2024 Edition\)](#)

[Georgia Department of Revenue, 2024 Qualified Education Expense Tax Credit – cap status 03-26-2024](#)



Homeschooling in Georgia

| POLICY | RATING | POLICY OVERVIEW |
|-----------------------------------|---|---|
| Homeschool without Prior Approval | <p>YES</p> <p>No permission required</p> | <p>Georgia Code does not require families to receive permission from local school boards or administrative bodies to practice homeschooling.</p> |
| No Extra Homeschool Notifications | <p>NO</p> <p>Annual notification</p> | <p>Georgia Code does require families to notify state officials annually of plans to homeschool. Parents must submit, within 30 days after the establishment of a homeschool program and by September 1 annually after that, a declaration of intent to utilize a home student program, to the Department of Education.</p> <p>The Department of Education must then provide copies of the declarations to the local school system in which the homeschool programs are located.</p> <p>(O.C.G.A. § 20-2-690 Educational entities; requirements for private schools and home study programs; learning pod protection)</p> <ul style="list-style-type: none"> Georgia Code 20-2-690 does not require the State Board of Education to promulgate rules relating to homeschool. |
| No Certification to Homeschool | <p>YES</p> <p>No certification requirement</p> | <p>Parents in Georgia do not need to possess state teacher certification in order to teach their children; however, they must have at least a high school diploma or a state approved high school equivalency diploma. Parents or guardians may also employ a tutor who holds a high school diploma or a state-approved high school equivalency to teach their children.</p> <p>(O.C.G.A. § 20-2-690 Educational entities; requirements for private schools and home study programs; learning pod protection)</p> <ul style="list-style-type: none"> Georgia Code 20-2-690 does not require the State Board of Education to promulgate rules relating to homeschool. |

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| <p>Flexible Assessment Options</p> | <p>NO</p> <p>Standardized testing required</p> | <p>Georgia Code specifies that students must be subject to an appropriate nationally standardized testing program administered in consultation with a person trained in the administration and interpretation of norm reference tests to evaluate students’ educational progress at least every three years beginning at the end of 3rd grade.</p> <p>Home school program instructors must also write annual progress assessment reports, which includes the instructor’s individualized assessment of the student’s academic progress.</p> <p>(O.C.G.A. § 20-2-690 Educational entities; requirements for private schools and home study programs; learning pod protection)</p> <ul style="list-style-type: none"> • Georgia Code 20-2-690 does not require the State Board of Education to promulgate rules relating to homeschool. |
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SOURCE CITATIONS

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|---|--|
| <p>Statutes</p> <p>O.C.G.A. § 20-2-690 Educational entities; requirements for private schools and home study programs; learning pod protection</p> | <p>State Department of Education</p> <p>Georgia Department of Education, Home Schools</p> |
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POLICY ENHANCERS



Part-time Enrollment in Georgia

| POLICY | RATING | POLICY OVERVIEW |
|---|--|---|
| <p>Resident Course Access</p> | <p>LIMITED</p> <p>By type of student, type of course, or district policy</p> | <p>Georgia Code provides that local school systems are authorized to enroll home study students and private school students in courses at college and career academies, so long as the academy is located within the student’s resident school system, so long as space is available.</p> <p>(O.C.G.A. § 20-2-319.5 Enrolling home study and private school students in college and career courses)</p> <ul style="list-style-type: none"> Georgia statute 20-2-319.5 requires the State Board to promulgate rules and regulations to implement this statute. <p>Unable to locate Administrative Rules relating to this topic.</p> |
| <p>Nonresident Course Access</p> | <p>LIMITED</p> <p>Districts only serve resident students or can impose other restrictions</p> | <p>Georgia Code specifies homeschool and private school students have access to courses only at college and career academies within their district of residence. These students are not guaranteed access to courses outside their district of residence.</p> <p>(O.C.G.A. § 20-2-319.5 Enrolling home study and private school students in college and career courses)</p> |

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| <p>Virtual Course Access</p> | <p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p> | <p>Georgia Code authorizes the State Board of Education to establish the Georgia Virtual School – any Georgia student who is less than 21 years of age is eligible to enroll. Students may take courses through the Georgia Virtual School, regardless of whether the school in which the student is enrolled offers the same course.</p> <p>Home school students and nonpublic school students may enroll in courses at no cost, so long as appropriations are provided for such purpose. If no appropriations are made, homeschool students and nonpublic school students may enroll if there are available slots, and the cost of tuition must not exceed \$250 per student per semester course.</p> <p>(O.C.G.A. § 20-2-319.1 Georgia Virtual School)</p> <ul style="list-style-type: none"> • Georgia Statute 20-2-319.1 authorizes the State Board to promulgate rules to implement this law. <p>Georgia Administrative Rules confirms that the Georgia Virtual School is authorized to provide online learning courses to eligible students in the state, including students attending private schools and home school students.</p> <p>Local school systems and private schools must agree to transcribe and award credit earned by students completing coursework through the virtual school and the Georgia Department of Education is required to coordinate all activities and services for private and home study students at the virtual school.</p> <p>(Georgia Admin. Code Rule 160-8-1-.01 Georgia Virtual School)</p> |
| <p>Extracurricular Access</p> | <p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p> | <p>Georgia Code includes the Dexter Mosely Act which permits home study students to be eligible to participate in extracurricular activities and interscholastic activities within a resident school or school system, provided that certain requirements are met.</p> <p>Note that the Dexter Mosely Act specifies that students who withdraw from a public school to participate in a home study program are prohibited from participating in extracurricular or interscholastic activity for 12 months from the date of the declaration of intent to utilize a home study program.</p> <p>(O.C.G.A. § 20-2-319.6 Home study student participation in resident school system extracurricular and interscholastic activities; short title; definitions; requirements for participation; impact of student withdrawal; reporting requirements)</p> <p>Local boards of education must adopt policies regulating competitive interscholastic activities, according to Georgia Rules. Generally, students wishing to participate in these activities must be enrolled full-time in a public school during the semester of participation. Private school students and homeschool students may use summer school credits for eligibility purposes so long as the credits have been earned in programs approved by an</p> |

accrediting agency recognized by the State Board pursuant to [Georgia Administrative Rule 160-5-1-.15 Acceptance of Transfer Credit and/or Grades](#).

([Georgia Admin. Rules 160-5-1-.18 Competitive Interscholastic Activities in Grades 6-12](#))

It is not clear that public schools must make these opportunities available to students attending private schools.

Georgia Code includes the Dexter Mosely Act which permits home study students between 6th to 12th grade to be eligible to participate in extracurricular activities and interscholastic activities within a resident school or school system. However, the Dexter Mosely Act requires that home study students meet the following requirements:

1. 30 days before the first school day the parent of the child provides the principal with written notification of the child's desire to participate.
2. The parent must provide the principal/superintendent verification of the child's most recent progress report.
3. The homeschool student must attempt one course for any semester in which the child plans to participate in extracurricular activities.
4. The child must abide by the same code of conduct as other students.
5. The child must meet the same established age, academic, and behavioral conduct, disciplinary, residence, zoning, and other rules/regulations.
6. The homeschool student also must participate in tryouts like other students.

SOURCE CITATIONS

Statutes

[O.C.G.A. § 20-2-319.3 Online clearing-house of interactive distance learning courses](#)

[O.C.G.A. § 20-2-319.5 Enrolling home study and private school students in college and career courses](#)

[O.C.G.A. § 20-2-319.6 Home study student participation in resident school system extracurricular and interscholastic activities; short title; definitions; requirements for participation; impact of student withdrawal; reporting requirements](#)

Administrative Code

[Georgia Admin. Rules 160-5-1-.18 Competitive Interscholastic Activities in Grades 6-12](#)

[Georgia Admin. Code Rule 160-8-1-.01 Georgia Virtual School](#)

State Department of Education

[Georgia Department of Education, Office of Technology Services, Georgia Virtual School](#)

[Georgia Department of Education, Georgia’s Online Clearinghouse](#)



Learn Everywhere in Georgia

| POLICY | RATING | POLICY OVERVIEW |
|---------------------------------|------------------------------------|--|
| Provider Qualification Standard | <p>NO</p> <p>No program</p> | <p>Georgia has not established a Learn Everywhere program.</p> |
| Course Credit Standard | <p>NO</p> <p>No program</p> | |
| Core Course Opportunities | <p>NO</p> <p>No program</p> | |
| Central State List | <p>NO</p> <p>No program</p> | |



Transportation in Georgia

| POLICY | RATING | POLICY OVERVIEW |
|----------------------------|---|---|
| Open Enrollment Transit | <p>NO</p> | <p>Georgia Administrative Code provides that for both intradistrict and interdistrict open enrollment students, parents are to assume responsibility for providing transportation for the student.</p> <p>(Georgia Admin. Code Rule 160-5-4-.09 Limited Public School Choice)</p> |
| Fair Transportation Access | <p>LIMITED</p> <p>Equitable transportation offered to some charter OR private students</p> | <p>Charter schools, pursuant to Georgia Code and Administrative Code receive funds for transportation in accordance with the Local Units of Administration Manual.</p> <p>(O.C.G.A. § 20-2-2068.1 Charter school funding; Georgia Admin. Code Rule 160-4-9-.06 Charter Authorizers, Financing, Management, and Governance Training)</p> <p>Georgia Code relating to student transportation provides that “[n]o provision of this article shall be construed to require the board of education of any independent school system to furnish student transportation services within such school system.”</p> <p>(O.C.G.A. § 20-2-188 Student transportation)</p> |
| Vehicle Flexibility | <p>NO</p> <p>Strict vehicle requirements</p> | <p>Georgia Code requires every school bus used to transport students to and from school to comply with State Board Bus Specifications.</p> <p>(O.C.G.A. § 40-8-112 Compliance with State Board Bus Specifications; see Georgia Department of Education, School Bus Specifications)</p> <p>Georgia Administrative Code allows schools some flexibility for student transportation. Rules specify that the governing body shall only allow employees of the LEA or employees or subcontractors of a company contracted by the LEA to transport students to and from school and school-related activities using an 8-passenger vehicle. These vehicles, according to definitions in Administrative Code, may only be used to transport students who have transportation needs as part of their IEP or currently lack a fixed, regular, and adequate nighttime residence as described under the McKinney-Vento Homeless Assistance Act.</p> |

([Georgia Admin. Code Rule 160-5-3-.17 Use of Alternative Vehicles for the Transport of Specified Student Groups](#))

SOURCE CITATIONS

Statutes

[O.C.G.A. § 20-2-188 Student transportation](#)

[O.C.G.A. § 20-2-2068.1 Charter school funding](#)

[O.C.G.A. § 40-8-112 Compliance with State Board Bus Specifications](#)

Administrative Code

[Georgia Admin. Code Rule 160-4-9-.06 Charter Authorizers, Financing, Management, and Governance Training](#)

[Georgia Admin. Code Rule 160-5-3-.17 Use of Alternative Vehicles for the Transport of Specified Student Groups](#)

[Georgia Admin. Code Rule 160-5-4-.09 Limited Public School Choice](#)

State Department of Education

[Georgia Department of Education, Pupil Transportation](#)

[Georgia Department of Education, School Bus Specifications](#)

***Note:** Georgia Code is housed within [LexisNexis](#). Statutes may be accessed through the [Georgia Legislature website, Legislation and Laws tab](#).

