

**AS PASSED SENATE****SENATE SUBSTITUTE TO HB 1122**

## A BILL TO BE ENTITLED

## AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to  
2 provide for funding requirements to apply to local education agencies; to provide for one  
3 superintendent for each state charter school; to provide for funding for local and state charter  
4 school principals; to make conforming changes; to provide for definitions; to increase  
5 opportunities for students to attend and be enrolled in the public schools where their parents  
6 or guardians are employed, including charter schools, regardless of school attendance zone  
7 or school system residency; to limit the application of certain state charter school conflict of  
8 interest provisions to executive-level employees, rather than all employees, of local boards  
9 of education or local school systems; to clarify that accountability ratings are a single  
10 numerical score based on indicators of quality of learning for each public school and school  
11 system in the state; to require timely publication of such scores; to provide for related  
12 matters; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Part  
16 5 of Article 6 of Chapter 2, relating to program weights and funding requirements under the

17 "Quality Basic Education Act," by revising Code Section 20-2-186, relating to allocation of  
18 funds for local systems to pay beginning salaries of superintendents, secretaries, accountants,  
19 nurses, and certain other personnel, and eligibility of failing schools for funds, as follows:  
20 "20-2-186.

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

22 (1) 'Local charter school' shall have the same meaning as in Code Section 20-2-2062.

23 (2) 'Local education agency' means any local school system, any charter school subject  
24 to the provisions of Article 31 or 31A of this chapter, and any completion special school  
25 subject to the provisions of Article 31C of this chapter, except this shall not include local  
26 charter schools or system charter schools, as such terms are defined in Code Section  
27 20-2-2062, or college and career academies that are charter schools.

28 (3) 'State charter school' shall have the same meaning as in Code Section 20-2-2081.

29 (b) Funds provided under this article shall include the following for local ~~systems~~  
30 education agencies to pay, on a 12 month basis, the beginning salaries of superintendents,  
31 assistant superintendents, and principals and the salaries of secretaries, accountants, and  
32 nurses, subject to appropriation by the General Assembly:

33 (1) Each local ~~system~~ education agency shall earn, for any number of full-time  
34 equivalent students equal to or under 5,000, funds sufficient to pay the beginning salaries  
35 of a superintendent and two assistant superintendents and the salaries of a secretary and  
36 an accountant; and

37 (2) For numbers of full-time equivalent students over 5,000 and less than 10,001, funds  
38 sufficient to pay the beginning salaries of a superintendent and four assistant  
39 superintendents and the salaries of a secretary and an accountant; and

40 (3) For numbers of full-time equivalent students over 10,000, funds sufficient to pay the  
41 beginning salaries of a superintendent and eight assistant superintendents and the salaries  
42 of a secretary and an accountant; and

43 (4) Each local education agency ~~local system~~ shall earn funds for the 2000-2001 school  
44 year sufficient to pay the beginning salary of a principal for each school in the local  
45 school system with a principal of record for the preceding year. Thereafter, each local  
46 school system shall earn funds sufficient to pay the beginning salary of a principal for  
47 each school in the local school system that reported a principal on the October certified  
48 personnel information report; provided, however, that any school which operates as a  
49 combination school, which is defined as any of the elementary grades, kindergarten  
50 through grade five, contiguous with one or more of the middle grades, grades six through  
51 eight; or as a combination school of any of the middle grades, grades six through eight,  
52 contiguous with one or more of the elementary grades or contiguous with one or more of  
53 the high school grades, grades nine through 12; or as a combination school of any of the  
54 high school grades, contiguous with one or more of the middle grades, shall earn funds  
55 sufficient to pay the beginning salary of a principal for each of the elementary, middle,  
56 or high school combinations. For purposes of this paragraph, 'contiguous' means grade  
57 levels in sequence, regardless of whether schools operating as a combination school are  
58 on the same campus sharing facilities or at different locations. Beginning with the  
59 2001-2002 school year, funds cannot be earned for more than one principal's salary for  
60 schools on the same campus sharing facilities unless the schools operate as a combination  
61 school as defined in this paragraph with separate facility codes issued by the Department  
62 of Education. A local ~~school system~~ education agency shall earn funds in the midterm  
63 adjustment sufficient to pay the beginning salary of a principal for a new school, if not  
64 otherwise earning the funds, when the school has reported full-time equivalent program  
65 counts in the October count, has an approved new school facility code issued by the  
66 department, and has reported a principal on the October certified personnel information  
67 report under the new facility code. It is further provided that funds for the salary of a  
68 principal shall not be earned under this paragraph for an evening school or alternative  
69 school; and

70 (5) Each local ~~school system~~ education agency shall earn funding for one nurse for every  
71 750 full-time equivalent students at the elementary school level and one nurse for every  
72 1,500 full-time equivalent students at the middle and high school levels. Such funding  
73 shall have a ratio of one registered professional nurse to five licensed practical nurses.  
74 Such funding shall be based on a contract length of 180 days and shall be sufficient to  
75 pay 50 percent of the average salary and benefits, as determined by the Department of  
76 Education, for a registered professional nurse or for a licensed practical nurse; provided,  
77 however, that such amount shall be phased in so that, in Fiscal Year 2013, such amount  
78 shall be 40 percent and, in Fiscal Year 2014, such amount shall be 45 percent. Local  
79 school systems shall not be required to provide any local matching funds for school  
80 nurses to receive funds pursuant to this paragraph. Local school systems that do not meet  
81 the minimum full-time equivalent student counts set out in this paragraph shall receive  
82 a base amount of funding. Each local school system shall expend 100 percent of the  
83 funds earned pursuant to this paragraph for salaries and benefits for school nurses.

84 ~~(b)~~(c) Notwithstanding the provisions of subsection (b) of this Code section regarding the  
85 number of and the funding earned for superintendents and principals:

86 (1) Each state charter school shall earn, for any number of full-time equivalent students,  
87 funds sufficient to pay the beginning salary of one superintendent;

88 (2) Each local charter school and state charter school that reported a principal on the  
89 October certified personnel information report and serves students in any of grades  
90 kindergarten through grade eight shall earn funds sufficient to pay the beginning salary  
91 of one principal for every 300 full-time equivalent students; provided, however, that no  
92 such school shall earn such funds for more than two principals; and

93 (3) Each local charter school and state charter school shall earn funds sufficient to pay  
94 the beginning salary of one principal for each school that reported a principal on the  
95 October certified personnel information report and serves grades nine through 12.

96 ~~(b)~~(d) All program weights, when multiplied by the base amount, shall reflect sufficient  
97 funds to pay the beginning salaries of a visiting teacher using a base size of 2,475 full-time  
98 equivalent students, for costs of operating an administrative office for certain local school  
99 systems as deemed warranted by the department, and for workers' compensation and  
100 employment security payments for personnel at the central office, school, and program  
101 levels, subject to appropriation by the General Assembly. Further, the program weights for  
102 all special education programs pursuant to Code Section 20-2-152, when multiplied by the  
103 base amount, shall reflect sufficient funds to pay the beginning salaries of special education  
104 leadership personnel essential and necessary for the effective operation of such programs  
105 in a base size local school system. Further, the program weights for all programs, when  
106 multiplied by the base amount, shall reflect sufficient funds to pay the beginning salaries  
107 of school psychologists and psychometrists essential and necessary for the effective  
108 operation of such programs in a local school system using a base size of 2,475 full-time  
109 equivalent students, subject to appropriation by the General Assembly; provided, however,  
110 that beginning with Fiscal Year 2016, such base size shall be 2,420 full-time equivalent  
111 students.

112 ~~(c)~~(e) Notwithstanding any provision of this Code section to the contrary, no local school  
113 system education agency shall earn funds under this Code section, except for funds for  
114 nurses, accountants, visiting teachers, school psychologists, and secretaries, if the local  
115 board of education or other public school governing body has not implemented in a failing  
116 school within the system the interventions, as defined in Code Section 20-14-41, that are  
117 prescribed by the State Board of Education."

118

**SECTION 2.**

119 Said title is further amended in Part 13 of Article 6 of Chapter 2, relating to organization of  
120 schools and school systems under the "Quality Basic Education Act," by revising subsection

121 (b) of Code Section 20-2-293, relating to student attending school in system other than  
 122 system of student's residence, as follows:

123 "(b) Notwithstanding the provisions of subsection (a) of this Code section or any other  
 124 general law, and except as provided by the General Assembly by local law, a student shall  
 125 be allowed to attend and be enrolled in the school in which a parent or guardian of such  
 126 student is a full-time teacher, ~~professional~~ paraprofessional, or other employee,  
 127 notwithstanding the fact that such school is not located in the local unit of administration  
 128 in which such student resides. Each local unit of administration shall be authorized to  
 129 allow a student to attend and be enrolled in the school in which a parent or guardian of such  
 130 student is a part-time teacher, paraprofessional, or other employee who works for at  
 131 least 20 hours per school week on average measured monthly, notwithstanding the fact that  
 132 such school is not located in the local unit of administration in which such student resides.  
 133 Each ~~school system~~ local unit of administration of this state shall provide procedures to  
 134 implement the provisions of this subsection."

135

### SECTION 3.

136 Said title is further amended in Article 31 of Chapter 2, the "Charter Schools Act of 1998,"  
 137 by revising divisions (1)(A)(iii) and (1)(B)(ii) of subsection (a) and paragraph (3) of  
 138 subsection (b) of Code Section 20-2-2066, relating to admission, enrollment, and withdrawal  
 139 of students, as follows:

140 "(iii) A student whose parent or guardian is a member of the governing board of the  
 141 start-up charter school or is a full-time teacher, ~~professional~~, or a full-time or  
 142 part-time paraprofessional or other employee at the start-up charter school;"

143 "(ii) A student whose parent or guardian is a member of the governing board of the  
 144 conversion charter school or is a full-time teacher, ~~professional~~, or a full-time or  
 145 part-time paraprofessional or other employee at the conversion charter school;"

146 "(3) A student whose parent or guardian is a member of the governing board of the state  
147 chartered special school or is a full-time teacher, ~~professional~~, or a full-time or part-time  
148 paraprofessional or other employee at the state chartered special school;"

149 **SECTION 4.**

150 Said title is further amended in Article 31A of Chapter 2, relating to state charter schools, by  
151 revising subparagraph (e)(2)(E) of Code Section 20-2-2084, relating to petition for charter  
152 schools, requirements of school, governing board membership, annual training, and  
153 simultaneous service prohibited, as follows:

154 "(E) Be an officer, member, or executive-level employee of a local board of education  
155 or ~~an employee~~ of a local school system."

156 **SECTION 5.**

157 Said title is further amended in Part 3 of Article 2 of Chapter 14, relating to accountability  
158 assessment, by revising subsection (d) of Code Section 20-14-33, relating to indicators of  
159 quality of learning in individual schools and school systems, comparison to state standards,  
160 rating schools and school systems, providing information, and uniform definition of  
161 "dropout" and "below grade level," as follows:

162 "(d)(1) The office, in coordination with the Department of Education, shall establish and  
163 annually calculate individual school and school system ratings, ~~which shall be as a single~~  
164 numerical score on a scale of 0-100, for each public school and school system in this state  
165 based on the indicators of quality of learning adopted pursuant to this Code section for  
166 student achievement, achievement gap closure, and student progress with a majority of  
167 the score based on student achievement. The Department of Education shall also  
168 establish the disaggregated components of the single score as ratings based on the  
169 indicators adopted pursuant to this Code section for student achievement.

170 (2) Each year within 30 days of the date upon which the calculations required in  
171 paragraph (1) of this subsection are complete:

172 (A) All individual school and school system single score and disaggregated  
173 component scores shall be published on the public websites of the office and the  
174 Department of Education as school and school system ratings;

175 (B) Each school system shall publish on its public website its school system ratings  
176 and the individual school ratings of each school in such school system and links to  
177 the public websites provided for in subparagraph (A) of this paragraph; and

178 (C) Each public school that maintains a public website shall publish its individual  
179 school ratings and link to the public websites provided for in subparagraph (A) of  
180 this paragraph on such school's public website."

181

#### **SECTION 6.**

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