

Senate Bill 401

By: Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Tate of the 38th and others

AS PASSED

**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,
2 relating to the "Quality Basic Education Act," so as to provide for collection of enrollment
3 and student record data by the Office of Student Achievement for students in dual credit
4 courses; to provide for guidance in career oriented aptitudes and career interests in
5 developing an individual graduation plan; to provide for a review and report of a school
6 counselor's role, workload, program service delivery, and professional learning; to provide
7 for legislative findings; to provide for automatic repeal; to provide for annual age-appropriate
8 sexual abuse and assault awareness and prevention education in kindergarten through grade
9 9; to provide that professional learning may include programs on sexual abuse and assault
10 awareness and prevention; to provide that in-service training shall include programs on
11 sexual abuse and assault awareness and prevention for certain professional personnel; to
12 provide for related matters; to repeal conflicting laws; and for other purposes.

13 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

14 **SECTION 1.**

15 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the
16 "Quality Basic Education Act," is amended in Code Section 20-2-161.3, relating to the dual
17 credit courses, by revising subsection (j) and by adding a new subsection to read as follows:

18 "(j) In order to participate in the program, each eligible postsecondary institution shall be
19 required to enter into a participation agreement with the commission agreeing to:

20 (1) Waive all mandatory and noncourse related fees for eligible high school students
21 participating in the program;

22 (2) Provide course books to eligible high school students participating in the program at
23 no charge to the student; ~~and~~

24 (3) Accept the amount paid by the commission as full payment for an eligible high
25 school student's tuition, mandatory and noncourse related fees, and course books; and

26 (4) Provide enrollment and student record data to the Office of Student Achievement and
 27 to the state-wide longitudinal data system maintained by such office. Such data shall be
 28 submitted in accordance with timelines and formats established by the Office of Student
 29 Achievement."

30 "(n) The Office of Student Achievement shall collect and monitor enrollment and student
 31 record data for dual credit courses taken pursuant to this Code section. The Office of
 32 Student Achievement shall annually measure and evaluate the program. The commission,
 33 the department, eligible postsecondary institutions, and local boards of education shall
 34 cooperate with and provide data as necessary to the Office of Student Achievement to
 35 facilitate the provisions of this subsection. The Office of Student Achievement is
 36 authorized to promulgate rules and regulations as necessary to implement the provisions
 37 of this subsection."

38 SECTION 2.

39 Said article is further amended in Code Section 20-2-327, relating to recognition of advanced
 40 proficiency/honors courses and counseling and development of individual graduation plans,
 41 by revising subsection (c) as follows:

42 "(c)(1) Beginning with the 2010-2011 school year, students Students in the sixth,
 43 seventh, and eighth grades shall be provided counseling, advisement, career awareness,
 44 career interest inventories, and information to assist them in evaluating their academic
 45 skills, career oriented aptitudes, and career interests. Before the end of the second
 46 semester of the eighth grade, students shall develop an individual graduation plan based
 47 on their academic skills, career oriented aptitudes, and career interests in consultation
 48 with their parents, guardians, or individuals appointed by the parents or guardians to
 49 serve as their designee. A student's individual graduation plan shall be taken into
 50 consideration when scheduling a student's courses in ninth grade. High school students
 51 shall be provided guidance, advisement, and counseling annually that will enable them
 52 to successfully complete update and implement their individual graduation plans,
 53 preparing them for a seamless transition to postsecondary study, further training, or
 54 employment. Beginning with the 2018-2019 school year, such guidance, advisement, and
 55 counseling for high school students shall include providing career oriented aptitude and
 56 career interest guidance. An individual graduation plan shall:

57 (1)(A) Include rigorous academic core subjects and focused ~~course work~~ coursework
 58 in mathematics and science or in humanities, fine arts, and foreign language or
 59 sequenced career pathway ~~course work~~ coursework;

60 (2)(B) Incorporate provisions of a student's Individualized Education Program (IEP),
 61 where applicable;

- 62 ~~(3)~~(C) Align educational and broad career goals and a student's course of study;
- 63 ~~(4)~~(D) Be based on the student's selected academic and career focus area as approved
- 64 by the student's parent or guardian;
- 65 ~~(5)~~(E) Include experience based, career oriented learning experiences which may
- 66 include, but not be limited to, participation in work based learning programs such as
- 67 internships, apprenticeships, cooperative education, service learning, and employability
- 68 skill development;
- 69 ~~(6)~~(F) Include opportunities for postsecondary studies through articulation, dual
- 70 enrollment, and joint enrollment;
- 71 ~~(7)~~(G) Be flexible to allow change in the course of study but be sufficiently structured
- 72 to meet graduation requirements and qualify the student for admission to postsecondary
- 73 education; and
- 74 ~~(8)~~(H) Be approved by the student and the student's parent or guardian with guidance
- 75 from the student's school counselor or teacher adviser.
- 76 (2) An individual graduation plan shall be reviewed annually, and revised, if appropriate,
- 77 upon approval by the student and the student's parent or guardian with guidance from the
- 78 student's school counselor or teacher adviser. An individual graduation plan may be
- 79 changed at any time throughout a student's high school career upon approval by the
- 80 student and the student's parent or guardian with guidance from the student's school
- 81 counselor or teacher adviser.
- 82 (3) The General Assembly finds that school counselors help students focus on academic,
- 83 career, social, and emotional development so that students can achieve success in school
- 84 and be prepared to lead fulfilling lives as responsible members of society. The
- 85 Department of Education shall review each school counselor's role, workload, and
- 86 program service delivery in grades six through 12. Such review shall include the scope
- 87 of school counselor professional learning and annual school counselor evaluation
- 88 instruments. The Department of Education shall provide a report of its findings to the
- 89 State Board of Education and the General Assembly by December 31, 2018, that includes
- 90 recommendations for counselor improvements to ensure student success in academic
- 91 skills, career oriented aptitudes, and career interests. This paragraph shall stand repealed
- 92 on December 31, 2018."

93 SECTION 2A.

94 Said article is further amended by revising Code Section 20-2-143, relating to sex education

95 and AIDS prevention instruction, implementation, and student exemption, as follows:

96 "20-2-143.

97 (a) Each local board of education shall prescribe a course of study in sex education and
98 AIDS prevention instruction for such grades and grade levels in the public school system
99 as shall be determined by the State Board of Education. Such course of study shall
100 implement either the minimum course of study provided for in subsection (b) of this Code
101 section or its equivalent, as approved by the State Board of Education. Each local board
102 of education shall be authorized to supplement and develop the exact approach of content
103 areas of such minimum course of study with such specific curriculum standards as it may
104 deem appropriate. Such standards shall include instruction relating to the handling of peer
105 pressure, the promotion of high self-esteem, local community values, the legal
106 consequences of parenthood, and abstinence from sexual activity as an effective method
107 of prevention of pregnancy, sexually transmitted diseases, and acquired immune deficiency
108 syndrome.

109 (b) The State Board of Education shall prescribe a minimum course of study in sex
110 education and AIDS prevention instruction which may be included as a part of a course of
111 study in comprehensive health education for such grades and grade levels in the public
112 school system as shall be determined by the state board and shall establish standards for
113 its administration. The course may include instruction concerning human biology,
114 conception, pregnancy, birth, sexually transmitted diseases, and acquired immune
115 deficiency syndrome. The course shall include instruction concerning the legal
116 consequences of parenthood, including, without being limited to, the legal obligation of
117 both parents to support a child and legal penalties or restrictions upon failure to support a
118 child, including, without being limited to, the possible suspension or revocation of a
119 parent's driver's license and occupational or professional licenses. The course shall also
120 include annual age-appropriate sexual abuse and assault awareness and prevention
121 education in kindergarten through grade 9. A manual setting out the details of such course
122 of study shall be prepared by or approved by the State School Superintendent in
123 cooperation with the Department of Public Health, the State Board of Education, and such
124 expert advisers as they may choose.

125 (c) The minimum course of study to be prescribed by the State Board of Education
126 pursuant to subsection (b) of this Code section shall be ready for implementation not later
127 than July 1, 1988. Each local board shall implement either such minimum course of study
128 or its equivalent not later than July 1, 1989. Any local board of education which fails to
129 comply with this subsection shall not be eligible to receive any state funding under this
130 article until such minimum course of study or its equivalent has been implemented.

131 (d) Any parent or legal guardian of a child to whom the course of study set forth in this
 132 Code section is to be taught shall have the right to elect, in writing, that such child not
 133 receive such course of study."

134 **SECTION 2B.**

135 Said article is further amended in Code Section 20-2-200, relating to the regulation of
 136 certificated professional personnel by the Professional Standards Commission, by revising
 137 paragraph (4) of subsection (b) as follows:

138 "(4) Requirements for certification renewal shall be established to foster ongoing
 139 professional learning, enhance student achievement, and verify standards of ethical
 140 conduct; provided, however, that from July 1, 2010, through June 30, 2017, no
 141 professional learning requirements shall be required for certificate renewal for clear
 142 renewable certificates for certificated personnel or for certificate renewal for
 143 paraprofessionals. Such requirements may include, but are not limited to, professional
 144 learning related to school improvement plans or the applicant's field of certification and
 145 background checks. Such requirements may also include participating in or presenting
 146 at in-service training programs on sexual abuse and assault awareness and prevention.
 147 Should the Professional Standards Commission include a requirement to demonstrate
 148 computer skill competency, the rules and regulations shall provide that a certificated
 149 educator may elect to meet the requirement by receiving satisfactory results on a test in
 150 basic computer skill competency. If a certificated educator elects to take such test
 151 pursuant to this paragraph, the local school system by which such educator is employed
 152 shall make available the opportunity to take the test on site at the school in which the
 153 educator is assigned. Each principal shall identify an administrator on site at each school
 154 to serve as a proctor for individuals taking the test pursuant to this paragraph. Individuals
 155 holding a valid Georgia life certificate or a valid National Board for Professional
 156 Teaching Standards certificate shall be deemed to have met state renewal requirements
 157 except those related to background checks."

158 **SECTION 2C.**

159 Said article is further amended in Code Section 20-2-201, relating to specific course
 160 requirements, in-service or continuing education, and online offerings, by revising
 161 subsection (b) as follows:

162 "(b) Each local unit of administration shall be required to provide all professional
 163 personnel certificated by the Professional Standards Commission 12 clock hours of
 164 in-service or continuing education in each calendar year, or meet requirements of the
 165 Southern Association of Colleges and Schools. Such in-service programs shall be

166 developed by the local unit of administration in conjunction with such agencies as regional
167 educational service agencies, colleges and universities, and other appropriate organizations.
168 These programs shall be designed to address identified needs determined by appropriate
169 personnel evaluation instruments. These programs shall also focus on improving the skills
170 of certificated personnel that directly relate to improving student achievement, as reflected
171 in the revised certification renewal rules established by the Professional Standards
172 Commission pursuant to paragraph (4.1) of subsection (b) of Code Section 20-2-200
173 regarding the impact of professional learning on student achievement. These programs
174 shall also include in-service training programs on sexual abuse and assault awareness and
175 prevention for professional personnel that will be providing instruction in annual
176 age-appropriate sexual abuse and assault awareness and prevention education in
177 kindergarten through grade nine pursuant to subsection (b) of Code Section 20-2-143.
178 Records of attendance shall be maintained by local units of administration and shall be
179 monitored by appropriate Department of Education staff."

180 **SECTION 3.**

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