April 17, 2019

Summary of 2019 Education-Related Legislation

An unusual number of leadership changes contributed to a demanding pace during the 2019 legislative session; a new governor, lieutenant governor, House Education Committee chair, Senate Education Committee chair, and House Retirement Committee chair worked in their respective policymaking roles on important education-related issues like school safety, private school vouchers, educator pay raises, and TRS reform. Once these policymakers were sworn in and committee work began, the pace under the Gold Dome intensified throughout the session before the legislature adjourned on April 2, 2019.

Gov. Brian Kemp has 40 days after legislators adjourn to sign or veto any legislation. Legislation not yet signed or vetoed before Monday, May 13, becomes law. The effective date of all bills is July 1, 2019, unless otherwise specified within the legislation itself.

PAGE has included links to supporting documents and legislative voting records for some bills. Please take the time to see how your House and Senate members voted and to learn more about the legislative issues affecting Georgia schools.

PAGE worked with Senate leaders to remind all members of the chamber to support public schools and oppose efforts to redirect public resources to private schools, as shown in this photo from March 5, 2019.

State Budget

2019 Amended Fiscal Year Budget

The AFY19 State Budget (education begins on p. 36) contains the following appropriations of education interest:

- $69,420,000 for school safety grants
- $18,063,705 midterm adjustment to the Local Five Mill Share for state commission charter schools due to legislation passed during the 2018 session
- $1 million to provide generators for backup power at the Georgia School for the Blind and the Georgia School for the Deaf
- $500,000 for middle school computer coding labs in rural or high-poverty school districts
- $8.4 million for the Georgia Apex Program to fund support counselors for mental health services in high schools

2020 Fiscal Year Budget

The FY20 State Budget (education begins on p. 93) contains the following appropriations of education interest:

- $483,026,192 to adjust the state salary schedule to increase educator salaries by $3,000 for certified teachers and certified employees, including school counselors, school social workers, school psychologists, media specialists, special education specialists, and technology specialists, effective July 1, 2019
- $2 million for facilities grants for charter schools due to legislation passed during the 2017 session

- $2 million to expand the comprehensive Communities in Schools model of wraparound supports to new schools
- $1 million in grants for professional development programs for teachers providing instruction in computer science courses and content per SB 108 (see more on SB 108 below)
- $100,000 for a two-year pilot program to demonstrate and evaluate the effectiveness of early reading assistance programs for students with risk factors for dyslexia per SB 48 (see more on SB 48 below)
- $78,644,980 increase in funds for Equalization grants
- $1 million for additional high school counselors and enriching counselor programs for Title I schools
- $220,000 for systems and schools to reach and maintain industry certification in the field of construction in collaboration with the Construction Education Foundation of Georgia
- $323,000 for life science industry certification to rural school districts in collaboration with Georgia Youth Science and Technology Centers
- $250,000 for cyber security initiatives in high schools across the state
- $3,452,650 transfer of funds from the Governor's Office of Student Achievement (GOSA) to the Georgia Department of Education (GaDOE) to provide one Advanced Placement (AP) exam for low-income students and one AP STEM exam for all students
- Utilize $175,000 in existing funds to support the innovative assessment pilot program established during the 2018 session

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Dyslexia

SB 48, sponsored by the new Senate Education and Youth Committee Chair P. K. Martin (R-Lawrenceville), requires the State Board of Education (SBOE) to develop policies for referring K-3 students for dyslexia screening if the students have been identified through the response-to-intervention process. Subject to subsequent appropriations by the General Assembly, SB 48 also requires universal dyslexia screening in kindergarten, beginning in the 2024-2025 school year. The legislation allows the Georgia Professional Standards Commission (GaPSC) to create a dyslexia endorsement program for educators. GaPSC will collaborate with GaDOE to improve and update professional development opportunities for teachers specifically relating to dyslexia. SB 48 also creates a three-year pilot program, beginning in the 2020-2021 school year, to demonstrate and evaluate the effectiveness of early reading assistance programs for students with risk factors for dyslexia.

School Safety

SB 15, by Sen. John Albers (R-Alpharetta), the “Keeping Georgia Schools Safe Act,” includes recommendations made by the Senate Study Committee on School Safety, which Albers chaired before the 2019 session began. SB 15 contains extensive reporting requirements for schools and requires a site threat assessment to be conducted periodically. School leaders will have a choice regarding providers of the threat assessments, and the assessments will then be used to update school safety plans shared with GaDOE. The bill also requires safety plan drills and the establishment of a smartphone or digital application by the Georgia Information Sharing and Analysis Center for reporting of suspicious, unsafe, or unlawful activity. SB 15 mandates the identification of school safety coordinators tasked with issuing annual reports to their

local boards of education, coordinating with state agencies, reporting suspected criminal behavior to local law enforcement, and working with all levels of law enforcement and mental health and social services providers.

Recess

HB 83 requires elementary schools to schedule daily recess for students in K-5, beginning in the 2019-2020 school year. Recess is not required on school days when students have physical education or structured activity time. The bill also waives the requirement when “reasonable circumstances” like inclement weather, assemblies, field trips, or lack of field space impedes recess. Schools are encouraged to schedule an average of 30 minutes of outdoor recess. Local boards of education (BOEs) are required to establish written policies ensuring recess is: a safe experience for students; scheduled so that it provides a break during academic learning; and, not withheld for disciplinary or academic reasons. HB 83 also requires BOEs to establish written policies regarding unstructured break time for students in grades 6-8.

Computer Science

SB 108, also sponsored by Sen. P. K. Martin, requires computer science courses to be offered in some middle and high schools, beginning in the 2022-2023, and requires such courses to be offered in all high schools by the 2024-2025 school year. The legislation corresponds with a $1 million proposed appropriation in the FY20 state budget for the grants earmarked for educator professional development programs for teachers providing instruction in computer science courses and content.

Teacher Retirement System

Though a number of Teachers Retirement System bills did not make it through the General Assembly in 2019 (more on that below in the final section of this report), one TRS bill did move forward. Because HB 292 by Rep. Tommy Benton (R-Jefferson) was assigned fiscal bill status, the legislation was required to move forward for an actuarial study this summer. HB 292 is eligible to pass during the 2020 session. The forthcoming actuarial analysis is anticipated to provide more insight into the $600-$660 million non-payment by the University System of Georgia to TRS. The nonpayment was the subject of a state audit released during the 2019 session.

School Legal Issues

Several criminal and civil school law bills also passed during the 2019 session, including:

- HB 478, by Rep. Mandi Ballinger (R-Canton), provides additional due process protections for educators placed on Georgia’s child abuse registry.
- SB 9, by Sen. Harold Jones (D-Augusta), a sex crimes bill, incorporates language which originated as part of another bill by Rep. Ed Setzler (R-Acworth) that expands Georgia law regarding educators, school employees, and agents of school systems who engage in sexual relationships with students older than the age of consent. SB 9 creates misdemeanor and felony tiers dependent on the degree of contact between school employees and students.
- HB 311, by Rep. Andy Welsh (R-McDonough), removes sovereign immunity protections for state and local governments but exempts local school districts.

Other Bills

SB 25, sponsored by Sen. Bill Heath (R-Bremen), requires drivers to stop for school buses that have their stop arms activated on all highways except those divided by a median. SB 25 has already been signed by Gov. Kemp, marking his first bill signature. PAGE Director of Legislative Affairs Margaret Ciccarelli attended the bill signing during the legislative session.

Photo credit: Rebekka Schramm at CBS 46

SB 60, the "Jeremy Nelson and Nick Blakely Sudden Cardiac Arrest Prevention Act," is also sponsored by Sen. Martin. The bill requires schools to provide educational materials about the danger of sudden cardiac arrest to students participating in interscholastic athletic activities, their parents, and their coaches.

SB 83, sponsored by Sen. Jeff Mullis (R-Chickamauga), expands the Old and New Testament courses currently taught in Georgia public schools – adding aspects of art history, music history, customs, and culture of the Bible, as well as the impact on modern society. Attached to the final version of SB 83 is language from HB 562 by Rep. Robert Dickey (R-Musella). This provision codifies the Realizing Educational Achievement Can Happen (REACH) Scholarship, a needs-based mentorship and college scholarship program for low-income students.

SB 67, by Sen. Dean Burke (R-Bainbridge), allows districts to use capital outlay designated funds for schools damaged in natural disasters.

HB 12, sponsored by Rep. Rick Williams (R-Milledgeville), requires schools to post a sign containing the phone number to receive reports of child abuse.

HB 59, by Rep. Dave Belton (R-Buckhead), allows students with parents in the military to enroll in a school district early when their parent or guardian receives orders. The final version of HB 59 also contains a provision from HB 558 by Rep. Todd Jones (R-South Forsyth). That language allows state charter schools with statewide attendance zones to be considered state agencies for purposes of the Open Meetings Act, thus allowing the schools' governing boards to meet via teleconference.

HB 68, sponsored by Rep. John Carson (R-Marietta), would prevent private school accrediting organizations from operating as student scholarship organizations (SSOs), which serve as pass-through entities for Georgia's tuition tax credit voucher program.

HB 130, by Rep. Randy Nix (R-LaGrange), authorizes the Georgia Foundation for Public Education, which is an entity of the Georgia Department of Education, to qualify as a 501(c)(3).

HB 459, by Rep. Ginny Ehrhart (R-Powder Springs), creates a process to verify school bus drivers' credentials twice annually.

HB 530, sponsored by Rep. Bill Hitchens (R-Rincon), prohibits parents or guardians from withdrawing a child from a public school to avoid compliance with mandatory attendance, school discipline, parental involvement, or parental responsibility laws. HB 530 stems from a heinous crime in Rep. Hitchens' district in southeast Georgia in which parents removed their children from their local public schools and later murdered the children.

HB 527, by Rep. Robert Dickey (R-Musella), reflects an annually required update to weights in Georgia's Quality Basic Education school funding formula.

Resolutions

Respective chambers of the legislature passed the following resolutions, which create study committees anticipated to meet before the 2020 legislature convenes in January. PAGE will attend and report on study committee meetings.

- HR 259, by Rep. Boddie Williams (D-East Point), creates the House Study Committee on Heat-Related Injuries, Cardiac Injuries, and other Sports-Related Injuries.
- HR 585, by Rep. Carl Gilliard (D-Garden City), creates the House Study Committee on Gang and Youth Violence Prevention.
- SR 304, by Sen. Bruce Thompson (R-White), creates the Senate Athletic Association Study Committee.
- SR 353, by Sen. Emanuel Jones (D-Decatur), create the Senate Study Committee on Community Schools.
- SR 371, by Sen. Greg Kirk (R-Americus), creates the Senate Protections from Sexual Predators Study Committee.
- SR 452, also by Sen. Jones, creates the Senate Study Committee on the Financial Efficiency Star Rating (FESR).
- SR 460, by Sen. John Wilkinson (R-Toccoa), creates the Senate Agriculture, Forestry, and Landscape Workforce Access Study Committee.
- SR 468, by Sen. Gail Davenport (D-Jonesboro), creates the Senate Study Committee on Educational Development of African American Children in Georgia.

Bills That Did Not Pass

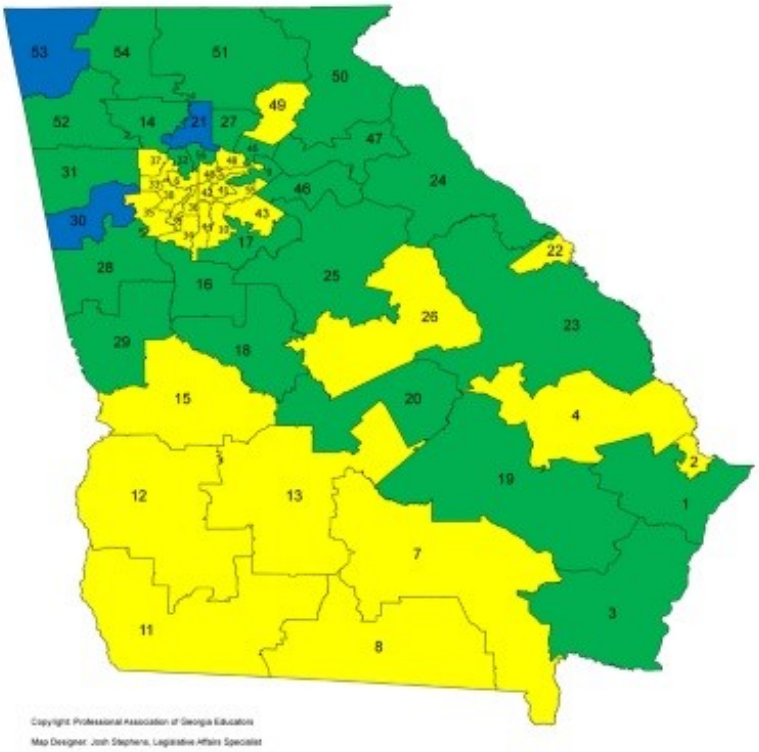
An important part of the story of each legislative session is in reference to what legislation did not pass. The following bills failed to clear both chambers. Because 2019 is the first year of Georgia's legislative biennium, these bills are eligible to pass during the 2020 legislature, which convenes in January.

Vouchers
Several voucher bills did not make it through the legislature in 2019. Each bill sought to create a third Georgia voucher program called an Education Savings Account (ESA). PAGE opposed the harmful legislation, as did a number of other statewide education groups, due to the voucher plans' diversion of resources critical to public schools and the lack of important academic accountability and financial transparency.

HB 301, sponsored by Rep. Wes Cantrell (R-Woodstock), failed to move through the House Ways and Means Committee after a state fiscal note demonstrated the high cost of the House version of the ESA voucher. The Senate version of the ESA voucher, contained in SB 173 by Sen. Greg Dolezal (R-Cumming), made it further through the legislative process but failed to garner the necessary majority on the Senate floor. Efforts to bring either bill back for another vote failed late in the session.

Review the official Senate voting record on SB 173 HERE and PAGE'S map of the voucher vote below.

Senate Vote by District on SB 173 - School Vouchers



District	Senator	Vote
1	Ben Watson (R-Savannah)	Yes
2	Lester Jackson (D-Savannah)	No
3	William Ligon (R-Brunswick)	Yes
4	Jack Hill (R-Reidsville)	No
5	Sheikh Rahman (D-Lawrenceville)	No
6	Jennifer Jordan (D-Atlanta)	No
7	Tyler Harper (R-Ocilla)	No
8	Ellis Black (R-Valdosta)	No
9	P. K. Martin (R-Lawrenceville)	Yes
11	Dean Burke (R-Bainbridge)	No
12	Freddie Powell Sims (D-Dawson)	No
13	Greg Kirk (R-Americus)	No
14	Bruce Thompson (R-White)	Yes
15	Ben Harbison (D-Columbus)	No
16	Marty Harbin (R-Tyrone)	Yes
17	Brian Strickland (R-McDonough)	Yes
18	John Kennedy (R-Macon)	Yes
19	Blake Tillery (R-Vidalia)	Yes
10	Emanuel Jones (D-Decatur)	No
20	Larry Walker III (R-Perry)	Yes
21	Brandon Beach (R-Alpharetta)	Excused
22	Harold Jones II (Augusta)	No
23	Jesse Stone (R-Waynesboro)	Yes
24	Lee Anderson (R-Grovetown)	Yes
25	Burt Jones (R-Jackson)	Yes
26	David Lucas (D-Macon)	No
27	Greg Dolezal (R-Cumming)	Yes
28	Matt Brass (R-Newnan)	Yes
29	Randy Robertson (R-Cataula)	Yes
30	Mike Dugan (R-Carrollton)	Excused
31	Bill Heath (R-Bremen)	Yes
32	Kay Kirkpatrick (R-Marietta)	Yes
33	Doc Rhett (R-Marietta)	No
34	Valencia Seay (D-Riverdale)	No
35	Donzella James (D-Atlanta)	No
36	Nan Orrock (D-Atlanta)	No
37	Lindsey Tippins (R-Marietta)	No
38	Horacena Tate (D-Atlanta)	No
39	Nikema Williams (D-Atlanta)	No
40	Sally Harrell (D-Atlanta)	No
41	Steve Henson (D-Stone Mountain)	No
42	Elena Parent (D-Atlanta)	No
43	Tonya Anderson (D-Lithonia)	No
44	Gail Davenport (D-Jonesboro)	No
45	Renee Unterman (R-Buford)	Yes
46	Bill Cowsert (R-Athens)	Yes
47	Frank Ginn (R-Danielsville)	Yes
48	Zahra Karinshak (D-Duluth)	No
49	Butch Miller (R-Gainesville)	No
50	John Wilkinson (R-Toccoa)	Yes
51	Steve Gooch (R-Dahlonega)	Yes
52	Chuck Hufstetler (R-Rome)	Yes
53	Jeff Mullis (R-Chickamauga)	Excused
54	Chuck Payne (R-Dalton)	Yes
55	Gloria Butler (D-Stone Mountain)	No
56	John Albers (R-Roswell)	Yes

Click the picture above to view a higher resolution version of the map.

TRS

Several TRS-bills did not move forward during the 2019 session. All three have been labeled by the state auditor as non-fiscal bills. Though the bills did not pass in 2019, their status maintains their eligibility to become law in 2020. HB 109 by House Retirement Education Committee Chair Tommy Benton would change TRS benefits for new teachers joining the TRS plan after July 1, 2020. SB 117 and SB 175, both sponsored by Senate Retirement Chair Ellis Black (R-Valdosta), sought to make changes to educator return-to-work laws and require those buying retirement credit to pay full actuarial value.

Tim Tebow Act

SB 163, the "Tim Tebow Act" by Sen. Bruce Thompson (R-White), sought to allow home school students to participate in extracurricular activities at the public schools for which they are zoned.

Dual Enrollment

HB 444, by Rep. Bert Reeves (R-Marietta), sought to add limitations to Georgia's popular dual enrollment program.

School Start Date

After a Senate Study Committee on Evaluating the School Year Calendar of Georgia Public Schools recommended that schools start classes no earlier than seven to 10 days before Sept. 1, Senate legislation mandating such never materialized. Rep. Ron Stephens (R-Savannah) did introduce HB 421, which sought to prohibit schools from starting before Aug. 1. That legislation never gained traction.

Evaluation Appeal, Chief Turnaround Change, and Local School District Financial Management

After SB 68 by Sen. Freddie Sims (D-Dawson) successfully passed the Senate and moved to the House, the legislation, which incorporated recommendations from the Senate Study Committee on Continual Audit Exceptions on Local School Systems, became a vehicle for several other bills. Amendments to SB 68 included language from HB 32 by. Rep Kevin Tanner (R-Dawsonville), which sought to reorganize Georgia's Chief Turnaround Office, and HB 68 by Rep. Benton, which sought to create an appeals process for teachers who have accepted their fourth or subsequent consecutive contract with the same school district and receive an evaluation with a performance rating of unsatisfactory, ineffective, or needs development.

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