

LEGISLATION THAT DIED

HB 123 – Parent Empowerment Act – PARENT TRIGGER

The House passed HB 123, the parent trigger bill, 97-74. House Majority Whip and sponsor of the bill, Ed Lindsey, watched it die in the Senate Education Committee after several GAE members and parents launched testimony against the legislation. The bill would have allowed 50% +1 of parents at a meeting to petition their local board of education to flip the school to a charter school.

HB 512 – Safe Carry Protection Act

The comprehensive gun bill failed to make it out of the House with a vote. The bill made it out of the House Public Safety and Homeland Security Committee after a three hour hearing and strong opposing testimony. With regard to K-12, it allowed local school boards to designate personnel to be armed in and on school property as well as on school buses and at school events. The campus carry component is what sunk the bill as the Board of Regents engaged in frenzied lobbying. As the author said on the floor of the House on Sine Die Day – IT WILL BE BACK.

HB 327 – Flexibility and Accountability Act for Student Achievement

Worked on by the House Education Committee members – would have given local school systems flexibility based on system-wide College and Career Readiness Performance Index (CCRPI) results to relax some provisions for Title 20 including teacher certification, class size caps, and the state salary schedule. The bill failed to come out of the Senate Education Committee.

HB 228 – Public Employees Use of Government Computers

Died in committee. Would have barred public employees, and specifically targeted educators, from using all forms of public facilities (computers, fax, email, phones, etc.) to take a position and promote or oppose any legislation from the General Assembly or the Governor. If users were found to violate the terms of this legislation, penalty included criminal charges. Also spelled out in the bill, parent and student email addresses could only be used for education communication and could not be used for any other purpose without the permission of the email owner.

HB 263 – Post Employment Health Insurance

Had a hearing only and did not move forward. This bill would give educators the full cost of participation in the state Health Benefit Plan upon retirement beginning July 1, 2013. Additionally, if there was a break in employment, eligibility participation would also be impacted. Again, GAE members filled the room and went on the record in opposition to the legislation.

SB 68 – Celebrate Freedom Week

Failed to come out of House Rules Committee. This legislation mandated the week of September 17 each year for K-12 schools to dedicate teaching to the US Constitution, the Declaration of Independence and many other US History items specifically around colonial times and the country's founders. It also required students be required to memorize and recite itemized documents.

HR 550 – School Superintendents Elected rather than Appointed

Would move school systems to elect superintendents rather than appoint.

HR 486 – Creation of Additional School Systems

Would allow the creation of more local school systems, e.g. Dunwoody, Brookhaven, North Atlanta.

SB 203 – Common Core Curriculum

Would have removed Georgia's adoption of the Common Core Curriculum and Race To the Top. Disallowing Georgia from participation in federal education requirements and developing a Curriculum Content Standards Advisory Council. The bill was withdrawn in committee.

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GAE LEGISLATIVE SUMMARY

GAE Government Relations



The 2013 Georgia General Assembly Legislative Session is complete, and we have analysis on the wide variety of issues that have public education impact. Looming large over this year's session was the influence of the results of the Charter School Constitutional Amendment—passed by 58% of voters statewide. Voters chose to allow an appointed State Charter School Commission to review and approve applications for charter schools. There will now be three approval mechanisms—local school boards, the State School Board and the State Charter Commission. During the 2013 session, members of the General Assembly seized the opportunity to further impact public education. Embedded in legislation introduced this year were more attempts at changing the fundamental model of K-12 public education.

The most significant trends include a move toward new nonprofits. There are three new non-profit organizations that are the domain of various entities.

1. In **HB 283** – A nonprofit is created in the Governor's Office of Student Achievement (OSA). The legislation contains NO definition of what that nonprofit does, where it gets its funding and how it is to be used. NO response has been given upon several inquiries. OSA is under the EXCLUSIVE authority of the Governor. This entity will be fully managed and implemented by the Governor's Office of Student Achievement where foundations can drive education policy statewide through funding and with no policy evaluation, review or oversight through DOE.
2. The Charter Foundation – a non-profit for Charter Systems (e.g. Fulton and Marietta) to make contributions. To date no definition has been forthcoming, but Charter System boards have already begun contributing (Marietta gave \$16,000) to the foundation from its budget of taxpayer dollars. Citizens, taxpayers, and parents should question the use and direction of their education tax dollars.
3. A nonprofit created within DOE for acceptance of donations and gifts.

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LEGISLATION THAT PASSED THE GENERAL ASSEMBLY

Bills that passed are awaiting the Governor's signature. The Governor has 40 days from the end of the session to either pass or veto legislation.



HB 115 – Gives authority to the Governor to suspend and remove local school board members in cases where the system is placed on probation by an accrediting agency. Proposed changes in current law include:

- notice of the system being placed on probation must be submitted to the State Board by the local board within three days of receiving such notice from the accrediting agency;
- the State Board hearing on charges must be held in not less than 10 days nor more than 90 days;
- provides for the local board to request that a hearing be continued;
- authorizes the State Board to continue a hearing;
- deliberations of the State Board may be held in executive session but a vote on recommendations must be held in public; and
- suspension or removal shall not apply to board members who were not serving on the board at the time the accrediting agency placed the system or school on probation.

Last year, equalization funding was restructured by the Georgia Education Finance Study Commission with significant impacts on middle and small size school systems around the state. This year the commission's agenda items included more Title 20 updates, giving systems flexibility and accountability and relief from the motor fuel tax for school systems.

HB 283 – Updates and revises Title 20 Terminology;

But it does significantly MORE.

This legislation:

- eliminates the requirement that consolidated schools no longer must be in the center of the district – GAE challenged this change stating in testimony “It is important that families and students are not presented a new transportation hardship;”
- eliminates middle grades/middle school distinction;

- **FTE weights are changed to align with** moving salaries for psychologists, social workers, and special education leadership to indirect cost. School counselors are funded at 450 FTE ratio;
- earnings for psychologists, social workers, SPED leaders moved to indirect cost and removed from FTE. **The Charter System subsidy of \$100 per FTE is eliminated.** Visiting teacher (social worker) ratio changed to 2420 FTE;
- it eliminates references to Needs Improvement schools (No Child Left Behind [NCLB] terminology);
- **local BOE training becomes responsibility of local BOE;**
- **5% of state capital outlay may be used for bandwidth increase;**
- eliminates 6-8 middle school structure requirement;
- changes terminology to State Charter School;
- eliminates references to AYP (more NCLB terminology);
- **home study student parents will be responsible for maintaining attendance record without need to report to local system;**
- charter schools must be formed from petitioner, local BOE, and DOE contract;
- establishes statewide Charter System Advisory Committee – this is in addition to the State Charter School Commission;
- gives local BOE 90 days to review charter petitions;
- eliminates a separate audit of charter schools that are under local BOE;
- eliminates AYP for systems; and
- **establishes foundation in the Governor's Office of Student Achievement.**

This bill took the entire session to pass both houses and was voted on eight times. In the waning days of the session, SB 243 was attached to the bill. In GAE's estimation it was not germane. SB 243 originated as a transparency and accountability bill for private School Scholarship Organizations (SSOs). When it came to the House, \$15M were added to expand the program from \$50M to \$65. Back over in the Senate to accept the changes, the expansion was adjusted down to \$58M. The House rejected the decrease and sent the bill back to the Senate. Key legislators in the Senate argued to maintain the Senate position. The House then accepted the Senate changes. This will cost the state an additional \$5M in revenues - \$58M in revenue each year.

HB 244 – Teacher & Leader Evaluations

The legislation having the most significant impact on the education profession this year is HB 244. It implements into law a statewide evaluation tool for teachers and administrators no later than the 2014-2015 school year. As part of the \$400M of federal funding for the Race to the Top Initiative (RT3), a required component is an educator evaluation tool. In spring 2012, 26 RT3 districts participated in a pilot of the Teacher Keys Effectiveness System. These 26 districts provided critical feedback and data used to revise and improve a new system of statewide public school teacher effectiveness. The new Teacher Keys Effectiveness System (TKES) consists of multiple components, including the Teacher Assessment on Performance Standards (TAPS), surveys of Instructional Practice, and measures of Student Growth and Academic Achievement.

After discussions and questions from GAE, the Department of Education clarified parts of the legislation we advocated for on behalf of educators. Transient students should not be counted as part of the growth model. Transient students would now have to be enrolled for more than 65% of the school year to count. The legislation states that trained evaluators will do multiple observations of teachers and principals.

There are four ratings that can be achieved in the evaluations (1) Exemplary (2) Proficient (3) Needs Development and (4) Ineffective. GAE insisted on a timeline for feedback from evaluators as well as a post-observation conference for any educator receiving a needs-improvement or ineffective rating. As a result of our advocacy, all three conferences (pre-evaluation, midyear evaluation and end of year summative conference) must be followed by a notification of the results; and educators must have access to each evaluation within five working days. Educators may make the request for a conference within 10 working days of receiving the evaluation results, and these conferences must be held within 10 working days of the request. **Fifty percent of an evaluation score will be based on student growth.** This rule was strongly opposed by GAE and continues to be reviewed by DOE. Our goal is to have that percentage reduced.

Evaluations of principals will include their ability to manage the school, have a positive learning climate, retain effective teachers, as well as factors that align with student growth and achievement.

Performance evaluations of educators are protected from public disclosure unless the individual gives written permission. Teacher retention, compensation, promotion and dismissal will be based on the evaluation results. Additionally, Reduction In Force (RIF) decisions will be based on evaluation results. Any combination of two Ineffective and/or Needs Development summative evaluations within a five-year period will result in non-renewal of certification.

The contract renewal deadline for school systems each year has been changed in the law to May 15. HB 245 which would have allowed educators to pursue and obtain education leadership degrees was added to this legislation. Previously, educators were required to have permission from their school leader in order to enroll. That rule is now removed, but educators will not gain compensation for leadership degrees unless it was endorsed/sponsored by the school or system leader.

HB 211 – Motor Fuel Excise Tax: Public School Systems Exempted under certain Circumstances

Exempts public school systems from Georgia's motor fuel taxes from July 2013 through June 2015. Georgia will collect nearly \$12M less over two years from this tax which is dedicated to transportation funding. The exemptions will boost local school budgets and potentially give some funding relief that may be used for other educational needs.



HB 70 – Special Needs Student Waiver

Amends current law related to eligibility for “special needs” vouchers for students attending private schools. The request must be initiated by a parent. Authorizes the State Board of Education to require a local board to expedite development of an IEP and to waive the prior school year requirement (on a case by case basis) for student's specific medical needs/issues. State Board shall annually report the number of waivers granted under this provision through December 31, 2015. The five mill share of local taxes is eliminated from the voucher. The state deducts the value of five mills when calculating its share of the QBE costs for public schools, but no deduction is taken for the voucher calculation.

Applications for the special needs voucher program shall be accepted by the Department of Education on September 15, December 15, and February 15 each year.

DOE shall make quarterly scholarship payments to parents no later than October 15, December 15, February 15, and May 15.

Problems with the bill:

- “medical needs” is not defined;
- no proof from a doctor or any form of medical certification that medical need(s) is required;
- local school system personnel may not be available in the summer to expedite the IEP development;
- the local system is given no opportunity to meet the needs of the student prior to enrollment in private schools; and
- no fiscal note was included for this legislation – no telling what the financial impact will be.

HB 131 – Hope Dual Credit

This legislation mandates that dual credit classes (classes taken at a community college or university) be weighted in the same manner as international baccalaureate and advanced placement classes, for the purposes of determining eligibility for Georgia's HOPE scholarship program.

HB 361 – Labor Organization Membership

This bill is a reiteration of last year's SB 469 which has serious impact on labor organizations passed the General Assembly this year. The bill eliminates the ability of organizations to deduct member dues via payroll deduction. An early version of the bill had impact on GAE members. As a result of our work with some members of the General Assembly, GAE was able to negotiate no impact to educators, firefighters, and police officers. They are excluded from the bill. When the bill was presented in the Senate, language in the bill eliminated unemployment benefits for over 60,000 education workers in Georgia was ruled not germane to the bill. GAE successfully worked on this bill to protect educators and their professional interests.