

Senate Bill 579

By: Senators Brush of the 24th and Price of the 56th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to authorize the creation and operation of the
3 Special K-12 Distance Learning School; to provide a definition; to provide for authority; to
4 provide for the scope and funding of the school; to authorize contracts; to provide for rules
5 and regulations; to provide for the applicability of reporting and accountability provisions;
6 to provide for certificated teachers; to provide for related matters; to provide for an effective
7 date; to repeal conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
11 secondary education, is amended by inserting a new article to be designated Article 32 to
12 read as follows:

13 "ARTICLE 32

14 20-2-2100.

15 As used in this article, the term 'distance learning school' means a school in which the
16 teacher and the students may be in different locations for a majority of the time in which
17 instruction occurs, and the teacher establishes the curriculum, all lesson plans, and all
18 assessments in accordance with regulations promulgated by the State Department of
19 Education.

20 20-2-2101.

21 (a) The provisions of this article are enacted in accordance with the authority granted by
22 Article VIII, Section V, Paragraph VII of the Georgia Constitution.

1 (b) This article authorizes the State Board of Education and the State Department of
2 Education to create a special school, the Special K-12 Distance Learning School, which
3 shall be made available state wide for public school students in kindergarten and grades
4 one through 12. The school may also be made available for students under age 21 who are
5 in the physical custody of the Department of Juvenile Justice and the Department of
6 Corrections.

7 (c) The State Board of Education and the State Department of Education are authorized
8 to provide for the creation, governing, and operation of the school through contract.

9 (d) The State Board of Education is authorized to promulgate rules and regulations for the
10 creation and operation of the Special K-12 Distance Learning School. Such rules and
11 regulations shall ensure, in a manner consistent with the inherent differences between
12 traditional education methods and the methods of a distance learning school, that students
13 in the Special K-12 Distance Learning School receive instruction that complies to the
14 extent feasible with the provisions of this title.

15 20-2-2102.

16 The entity operating the Special K-12 Distance Learning School shall receive full QBE
17 formula funds for each student enrolled and participating in the same manner as local
18 boards of education receive such funds. The Special K-12 Distance Learning School shall
19 report enrolled students and students attending in a manner consistent with Code Section
20 20-2-160. The rules promulgated by the State Board of Education may include procedures
21 to ensure an accurate count of students enrolled and participating in the Special K-12
22 Distance Learning School.

23 20-2-2103.

24 (a) Each teacher in the Special K-12 Distance Learning School shall hold and maintain a
25 valid Georgia teaching certificate as defined by the Professional Standards Commission.

26 (b) The Special K-12 Distance Learning School shall be subject to all reporting and
27 accountability provisions in this chapter and Chapter 14 of this title."

28 SECTION 2.

29 This Act shall become effective on July 1, 2004.

30 SECTION 3.

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