

## HOUSE SUBSTITUTE TO SENATE BILL 34:

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, the  
 2 "Quality Basic Education Act," so as to provide for legislative findings; to provide for the  
 3 establishment of the "Georgia Master Teacher Program"; to provide for the establishment of  
 4 criteria for Master Teacher Certification; to provide for the establishment of rules and  
 5 regulations by the Professional Standards Commission; to revise certain provisions relating  
 6 to salary increases for persons receiving certification from the National Board for  
 7 Professional Teaching Standards; to provide for the establishment of the "Academic Coach  
 8 Program"; to provide for the establishment of rules and regulations by the State Board of  
 9 Education; to provide for the employment of an academic coach by a public school in  
 10 accordance with a school improvement plan; to provide for monetary and other incentives  
 11 for academic coaches; to provide for the establishment of a Master Teacher and Academic  
 12 Coach Implementation Committee; to provide for the composition, duties, and duration of  
 13 the committee; to provide for automatic repeal; to enact a new Part 6A of Article 17, relating  
 14 to teachers and other school personnel, so as to provide an additional benefit and support for  
 15 teachers and other school personnel by providing professional liability insurance coverage  
 16 for teachers, principals, other certificated personnel, and student teachers by the state; to  
 17 provide for related matters; to provide an effective date; to repeal conflicting laws; and for  
 18 other purposes.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

20 **SECTION 1.**

21 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality  
 22 Basic Education Act," is amended by inserting a new Code section after Code Section  
 23 20-2-204 to be designated Code Section 20-2-205 to read as follows:

24 "20-2-205.

25 (a) The General Assembly finds that excellent public school teachers deserve recognition  
 26 for the extraordinary learning opportunity they provide to Georgia students.

1 (b) The Professional Standards Commission is authorized and directed to establish the  
 2 'Georgia Master Teacher Program' to provide recognition to certificated public school  
 3 teachers who exhibit excellence in the classroom.

4 (c) The Professional Standards Commission shall establish criteria for a Master Teacher  
 5 Certification. Such criteria shall include, at a minimum, evidence of student achievement,  
 6 which must include student progress. A public school teacher with three or more years of  
 7 teaching experience in Georgia may submit an application to the Professional Standards  
 8 Commission for a Master Teacher Certification. The Professional Standards Commission  
 9 shall review each application and determine whether a teacher meets the criteria for a  
 10 Master Teacher Certification. If the Professional Standards Commission finds that a  
 11 teacher's application meets the criteria, the teacher will be given a Master Teacher  
 12 Certification, and that teacher will be known as and may be called a Master Teacher for a  
 13 term to be determined pursuant to rules and regulations of the Professional Standards  
 14 Commission, but in no event longer than seven years. The Professional Standards  
 15 Commission is authorized to develop rules and regulations governing the Master Teacher  
 16 Certification.

17 (d) This Code section shall be repealed on June 30, 2009."

#### 18 SECTION 1A.

19 Said article is further amended by striking Code Section 20-2-212.2, relating to salary  
 20 increase for persons receiving certification from National Board for Professional Teaching  
 21 Standards, and inserting in its place the following:

22 "20-2-212.2.

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

24 (1) 'High-needs school' means a Georgia public school that has received an unacceptable  
 25 rating for a period of two or more consecutive years; and

26 (2) 'national National certification' means certification obtained from the National Board  
 27 for Professional Teaching Standards.

28 (b) For initial national certification prior to July 1, 2006, and subsequent renewals anytime  
 29 thereafter,

30 (1) Any person who:

31 ~~(1)~~(A) Is currently teaching full time in a Georgia public school and holds a valid  
 32 Georgia teaching certificate; and

33 ~~(2)~~(B) Has successfully completed the prerequisite portfolio of student work and  
 34 examination and has received national certification

35 shall receive not less than a 10 percent rate increase in state salary for each year he or she  
 36 holds national certification. Such increase shall be awarded beginning on the date such

1 certification is received. The 10 percent increase shall be computed based on the state  
 2 salary for such individual when national certification is received and recomputed each  
 3 subsequent year based on the individual's state salary for that school year. In the case of  
 4 a person who has received such national certification prior to July 1, 2000, and is receiving  
 5 or is eligible to receive a 5 percent rate increase, the 5 percent rate increase shall be  
 6 changed to a 10 percent rate increase effective with the commencement of the 2000-2001  
 7 school year. The increase in state salary provided by this Code section shall be in addition  
 8 to any other increase for which the person is eligible.

9 ~~(c)~~(2) A teacher shall be granted two days of approved paid leave to prepare the portfolio  
 10 of student work required for national certification.

11 ~~(d)~~(3) A portion of the national certification program participation fee may be paid by  
 12 the state prior to certification for any person who:

13 ~~(1)~~(A) Is currently teaching in a Georgia public school and holds a valid Georgia  
 14 teaching certificate;

15 ~~(2)~~(B) Has submitted an application and the initial qualifying payment to the National  
 16 Board for Professional Teaching Standards; and

17 ~~(3)~~(C) Has successfully completed a screening process developed by the Professional  
 18 Standards Commission.

19 ~~(e)~~(4) A teacher for whom the State of Georgia pays a portion of the national  
 20 certification participation fee and who does not teach in a Georgia public school for at  
 21 least one year after receiving certification shall repay the state's portion of the  
 22 participation fee to the state. Repayment is not required if the teacher is unable to  
 23 complete the additional year of teaching due to the death or disability of the teacher, and  
 24 repayment is not required if the teacher fails to receive national board certification.

25 ~~(f)~~(5) The portion of the national certification program participation fee paid by the  
 26 participant shall be reimbursed by the state upon certification for any teacher who is  
 27 eligible for an increase pursuant to subsection (b) of this Code section.

28 ~~(g)~~(6) A teacher for whom the State of Georgia reimburses the cost of the participation  
 29 fee and who does not teach in a Georgia public school for at least one year after receiving  
 30 certification shall repay the reimbursement payment to the state. Repayment is not  
 31 required if the teacher is unable to complete the additional year of teaching due to the  
 32 death or disability of the teacher.

33 (b.1) Any person who has enrolled in the process, as determined by the Professional  
 34 Standards Commission, of attaining national certification on or before March 1, 2005, and  
 35 who obtains initial certification and subsequent renewals after July 1, 2006, shall be  
 36 eligible for salary increases pursuant to subsection (b) of this Code section if such person  
 37 otherwise meets the requirements of subsection (b).

1 (c) Except as provided for in subsection (b.1) of this Code section, for initial national  
 2 certification on and after July 1, 2006, and subsequent renewals anytime thereafter,

3 (1) Any person who:

4 (A) Is currently teaching full time in a high-needs school and holds a valid Georgia  
 5 teaching certificate as defined by the Professional Standards Commission; and

6 (B) Has successfully completed the prerequisite portfolio of student work and  
 7 examination and has received national certification

8 shall receive not less than a 10 percent rate increase in state salary for each year he or she  
 9 holds national certification. Such increase shall be awarded beginning on the date such  
 10 certification is received. The 10 percent increase shall be computed based on the state  
 11 salary for such individual when national certification is received. A teacher who transfers  
 12 to a high-needs school after such individual receives national certification shall receive  
 13 such increase beginning on the effective date of transfer if the teacher meets the  
 14 requirements of this subsection, and such increase shall be computed based on the state  
 15 salary for such individual on the effective date of the transfer. Provided such individual  
 16 remains employed in a high-needs school or in a school that was designated as a high-needs  
 17 school at the time the individual received national certification or transferred to such school  
 18 and otherwise continues to meet the requirements of this subsection, the 10 percent  
 19 increase shall be recomputed each subsequent year based on such individual's state salary  
 20 for that school year.

21 (2) A teacher shall be granted two days of approved paid leave to prepare the portfolio  
 22 of student work required for national certification.

23 (3) The Professional Standards Commission shall provide annually to the Department  
 24 of Education a roster of teachers who have attained and retained national certification and  
 25 are eligible for the annual increase.

26 (4) The Professional Standards Commission shall be authorized to accept, receive,  
 27 distribute, and administer funds to be used for national certification program participation  
 28 fees."

## 29 SECTION 2.

30 Said article is further amended by inserting new Code sections after Code Section 20-2-212.4  
 31 to be designated Code Sections 20-2-212.5 and 20-2-212.6 to read as follows:

32 "20-2-212.5.

33 (a) The General Assembly finds that many teachers wish to spend their entire career  
 34 teaching in a classroom setting. However, the current salary structure offers few financial  
 35 incentives for public school teachers to continue in the classroom throughout their careers.  
 36 The General Assembly finds that new opportunities for career advancement must be

1 developed to encourage excellent public school teachers to continue teaching students and  
2 to contribute to the development of other teachers.

3 (b) The State Board of Education is authorized and directed to establish the 'Academic  
4 Coach Program' to provide certificated public school teachers who exhibit excellence in  
5 the classroom with salary supplements or bonuses in exchange for mentoring other public  
6 school teachers. The state board is authorized to develop rules and regulations for such  
7 program, including requiring reports, data, or other measures of accountability.

8 (c) A local school system desiring the expertise and competency of an academic coach in  
9 one or more of its schools shall develop a school improvement plan for each such school  
10 which identifies the academic strengths and the areas which need improvement in each  
11 such school and which identifies areas where the expertise and competency of an academic  
12 coach could lead to improved academic performance of its students. A local school system  
13 desiring an academic coach in one or more of its schools shall submit such plan or plans  
14 on behalf of the school or schools in its district to the Department of Education which will  
15 certify that the plan or plans includes identified deficiencies in school performance that an  
16 academic coach can address. Once such certification is obtained, the school system may  
17 employ an academic coach or coaches according to the terms of the school improvement  
18 plan to be a classroom teacher for one or more segments per day or to perform other duties  
19 commensurate with the school improvement plan.

20 (d) Prior to working as an academic coach in a school, an academic coach must receive a  
21 Master Teacher Certification from the Professional Standards Commission, as provided for  
22 in Code Section 20-2-205. The academic coach shall participate in professional learning  
23 relative to performing duties as an academic coach and to the teaching and learning needs  
24 identified in the school improvement plan as described in subsection (c) of this Code  
25 section.

26 (e) As part of its review of a school improvement plan, the school council at each school  
27 is authorized to request and receive data from the school relative to the school's utilization  
28 of an academic coach and whether such use of an academic coach has led to increased  
29 academic performance.

30 (f) The state board is authorized, subject to appropriations by the General Assembly, to:

31 (1) Provide funds to local school systems that release academic coaches from the regular  
32 classroom for one or more segments per day;

33 (2) Compensate academic coaches with salary supplements if they serve schools that  
34 have received an unacceptable rating for a period of two or more consecutive years; and

35 (3) Compensate academic coaches and other teachers or personnel participating or  
36 involved in the program with bonuses based on demonstrated school-wide gains in  
37 student achievement.

1 Nothing shall prohibit local boards of education from providing additional salary  
2 supplements and bonuses to any teacher serving as an academic coach.

3 (g) This Code section shall be repealed on June 30, 2009.

4 20-2-212.6.

5 The Governor shall appoint a Master Teacher and Academic Coach Implementation  
6 Committee to advise the Professional Standards Commission and the State Board of  
7 Education on the development of such rules governing the Georgia Master Teacher  
8 Program, in accordance with Code Section 20-2-205, and the Academic Coach Program,  
9 in accordance with this Code section. Such committee shall include at a minimum, two  
10 Department of Education staff members, two State Board of Education members, two  
11 Professional Standards Commission staff members, two Professional Standards  
12 Commission members, six teachers, one local school superintendent, one principal, one  
13 local school board member, two parents of public school students, the director of the Office  
14 of Student Achievement or his or her designee, one staff member from Georgia's  
15 Leadership Institute for School Improvement, the chair of the Senate Education Committee  
16 or his or her designee, the chair of the House Committee on Education or his or her  
17 designee, and the director of the Office of Planning and Budget. The implementation  
18 committee shall hold public hearings across the state for the purpose of receiving input  
19 from parents, teachers, and other educators. In addition to developing recommendations  
20 for rules governing the designation of Master Teachers, the implementation committee  
21 shall develop recommendations for guidelines designed to provide information to  
22 principals on hiring and utilizing the services of an academic coach. The Master Teacher  
23 and Academic Coach Implementation Committee shall make its recommendations to the  
24 Professional Standards Commission and the State Board of Education no later than  
25 December 31, 2005. The implementation committee shall be disbanded on December 31,  
26 2005. This Code section shall be repealed on December 31, 2005."

27 **SECTION 3.**

28 Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
29 teachers and other school personnel, is amended by adding after Part 6 a new part to read as  
30 follows:

31 "Part 6A

32 20-2-930.

33 (a) For purposes of this Code section, the term:

1 (1) 'Certificated personnel' means all teachers, principals, and other education personnel  
2 certificated by the Professional Standards Commission.

3 (2) 'Student teacher' means a college or university student in an education degree  
4 program in a unit of the University System of Georgia or in a private postsecondary  
5 institution who, as part of the degree program, is in a local school system in a classroom  
6 setting providing instruction to students and being mentored by a teacher.

7 (b) The Department of Administrative Services shall be authorized to purchase or provide  
8 a policy or policies of professional liability insurance, subject to appropriations by the  
9 General Assembly, insuring certificated personnel who are employed by a local school  
10 system and student teachers. Such policy or policies shall protect against damages arising  
11 out of the performance of their duties or in any way connected therewith. The amount of  
12 such insurance and the appropriate coverages shall be in the discretion of the Department  
13 of Administrative Services, subject to specific appropriations by the General Assembly.

14 (c) Insurance coverage provided pursuant to this Code section shall automatically cover  
15 all certificated personnel who are employed by a local school system and student teachers  
16 and shall be at no cost to such certificated personnel or student teachers.

17 (d) The program of insurance under this part shall be administered by the Department of  
18 Administrative Services and such department shall be authorized to promulgate any  
19 necessary rules and regulations to implement such program.

20 (e) The program of insurance shall be effective for insurance coverage of certificated  
21 personnel and student teachers no later than July 1, 2005."

#### 22 **SECTION 4.**

23 This Act shall become effective upon its approval by the Governor or upon its becoming law  
24 without such approval.

#### 25 **SECTION 5.**

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