

Senate Bill 34

By: Senators Moody of the 56th, Weber of the 40th, Johnson of the 1st, Williams of the 19th, Thomas of the 54th 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, 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.