

The House Committee on Education offers the following substitute to HB 1239:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to competencies and core curriculum for elementary and secondary
3 students under the "Quality Basic Education Act," so as to provide for a minimum course of
4 study in criminal law in Georgia established by the State Board of Education; to provide
5 legislative findings; to provide for a manual; to provide for rules and regulations; to provide
6 for time frames for implementation; to provide for construction; to provide for an election
7 by a parent or guardian not to participate; to provide for immunity; to provide for related
8 matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
11 relating to competencies and core curriculum for elementary and secondary students under
12 the "Quality Basic Education Act," is amended by adding at the end thereof a new Code
13 section to read as follows:
14

15 "20-2-148.

16 (a) The General Assembly finds that our youth are the future of our state and that it is in
17 the best interests of the youth and of society as a whole to discourage, to the greatest extent
18 possible, criminal behavior of youth. The General Assembly further finds that it would be
19 beneficial to educate the youth of this state on the repercussions of engaging in behavior
20 that can be deemed criminal and the devastating impact it can have on the life of the
21 individual, on the individual's family, and on society as a whole.

22 (b) The State Board of Education shall prescribe a minimum course of study which shall
23 include the criminal code in Georgia as it affects minors with an emphasis on sexual
24 offenses, crimes for which a minor can be tried as an adult, crimes included in
25 paragraph (2) of subsection (b) of Code Section 15-11-28, and potential criminal penalties
26 for committing crimes. The State Board of Education shall ensure that any minimum

1 course of study shall be age appropriate for each prescribed grade. The minimum course
2 of study shall be included as a portion of an appropriate course, as determined by the State
3 Board of Education at a minimum, in grades eight and nine, and the instruction shall be
4 delivered in a classroom setting. The minimum course of study shall include an assessment
5 on the material at the conclusion of the instruction and the results of the assessment shall
6 be included as a part of the student's grade in the course. The state board shall establish
7 minimum time requirements for the course of study. Any changes made by the General
8 Assembly to the criminal code as it affects minors shall be included in a revised course of
9 study for the following school year.

10 (c) A manual setting out the details of such course of study shall be prepared by or
11 approved by the State Board of Education in cooperation with the Attorney General, and
12 such expert advisers as they may choose and shall be made available to parents upon
13 request.

14 (d) The State Board of Education shall be authorized to promulgate rules and regulations
15 to implement the requirements of this Code section.

16 (e) The minimum course of study to be prescribed by the State Board of Education
17 pursuant to subsection (c) of this Code section shall be ready for implementation not later
18 than July 1, 2007. Each local board shall implement either such minimum course of study
19 or its equivalent not later than December 31, 2007. Any local board of education which
20 fails to comply with this subsection shall not be eligible to receive any state funding under
21 this article until such minimum course of study or its equivalent has been implemented.

22 (f) Any parent or legal guardian of a child to whom the course of study set forth in this
23 Code section is to be taught shall have the right to elect, in writing, that such child not
24 receive such course of study.

25 (g) No teacher, administrator, or local board of education member shall be held civilly or
26 criminally liable for instruction provided pursuant to this Code section if such instruction
27 is provided in accordance with this Code section and with State Board of Education and
28 local board of education guidelines."

29 SECTION 2.

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