

House Bill 400 (AS PASSED HOUSE AND SENATE)

By: Representatives Millar of the 79<sup>th</sup>, Lindsey of the 54<sup>th</sup>, Pruett of the 144<sup>th</sup>, Amerson of the 9<sup>th</sup>, and Ashe of the 56<sup>th</sup>

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,  
2 relating to the "Quality Basic Education Act," so as to enact the "Building Resourceful  
3 Individuals to Develop Georgia's Economy Act"; to develop programs to improve graduation  
4 rates and to improve the preparedness of students for postsecondary education and careers;  
5 to provide for definitions; to provide for individual graduation plans; to establish a reform  
6 grant program; to provide that the grant program is subject to appropriations; to require local  
7 school systems which receive a reform grant to comply with certain requirements; to provide  
8 for rules and regulations; to provide for exemptions from certain portions of the high school  
9 graduation test and end-of-course assessments; to provide for related matters; to provide for  
10 an effective date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the  
14 "Quality Basic Education Act," is amended by adding a new part to read as follows:

15 style="text-align:center">"Part 16

16 20-2-325.

17 This part shall be known and may be cited as the 'Building Resourceful Individuals to  
18 Develop Georgia's Economy Act.'

19 20-2-326.

20 For purposes of this part, the term:

21 (1) 'Articulation' means agreement between a high school and a postsecondary institution  
22 regarding the awarding of both secondary and postsecondary credit for a dual enrollment  
23 course.

24 (2) 'Career academy' means a specialized charter school established by a partnership  
25 between one or more local boards of education and a technical school or college and  
26 approved by the State Board of Education in accordance with Article 31 of this chapter  
27 or the Georgia Charter Schools Commission in accordance with Article 31A of this  
28 chapter. This term also includes a small learning community where a student receives  
29 academic instruction at his or her assigned high school combined with work based  
30 learning opportunities at an industry center or technical school or college.

31 (3) 'Choice technical high school' means a high school, other than the high school to  
32 which a student is assigned by virtue of his or her residence and attendance zone, which  
33 is designed to prepare a high school student for postsecondary education and for  
34 employment in a career field. A choice technical high school may be operated by a local  
35 school system or a technical school or college. A choice technical high school may also  
36 be operated as a charter school under a governance board composed of parents,  
37 employers, and representatives from the local board of education.

38 (4) 'Chronically low-performing high school' means a public high school in this state that  
39 has a graduation rate of less than 60 percent for three consecutive years, as determined  
40 in accordance with methodology established by the National Governors Association's  
41 Compact on High School Graduation Data, or that has not made adequate yearly progress  
42 for three consecutive years, as defined by the Office of Student Achievement.

43 (5) 'Focused program of study' means a rigorous academic core combined with a focus  
44 in mathematics and science; a focus in humanities, fine arts, and foreign language; or a  
45 coherent sequence of career pathway courses that is aligned with graduation requirements  
46 established by the State Board of Education and curriculum requirements established  
47 pursuant to Part 2 of this article that prepares a student for postsecondary education or  
48 immediate employment after high school graduation.

49 (6) 'Graduation plan' means a student specific plan developed in accordance with  
50 subsection (c) of Code Section 20-2-327 detailing the courses necessary for a high school  
51 student to graduate from high school and to successfully transition to postsecondary  
52 education and the work force.

53 (7) 'Industry certification' means a process of program evaluation that ensures that  
54 individual programs meet industry standards in the areas of curriculum, teacher  
55 qualification, lab specifications, equipment, and industry involvement.

56 (8) 'Public college or university' means a two-year or four-year college, university, or  
57 other institution under the auspices of the Board of Regents of the University System of  
58 Georgia.

59 (9) 'Small learning community' means an autonomous or semiautonomous small learning  
60 environment within a large high school which is made up of a subset of students and

61 teachers for a two, three, or four-year period. The goal of a small learning community  
 62 is to achieve greater personalization of learning with each community led by a principal  
 63 or instructional leader. A small learning community blends academic studies around a  
 64 broad career or academic theme where teachers have common planning time to connect  
 65 teacher assignments and assessments to college and career readiness standards. Students  
 66 voluntarily apply for enrollment in a small learning community but must be accepted, and  
 67 such enrollment must be approved by the student's parent or guardian. A small learning  
 68 community also includes a career academy organized around a specific career theme  
 69 which integrates academic and career instruction, provides work-based learning  
 70 opportunities, and prepares students for postsecondary education and employment, with  
 71 support through partnerships with local employers, community organizations, and  
 72 postsecondary institutions.

73 (10) 'Teacher adviser system' means a system where an individual professional educator  
 74 in the school assists a small group of students and their parents or guardians throughout  
 75 the students' high school careers to set postsecondary goals and help them prepare  
 76 programs of study, utilizing assessments and other data to track academic progress on a  
 77 regular basis; communicates frequently with parents or guardians; and provides  
 78 advisement, support, and encouragement as needed.

79 (11) 'Technical school or college' means a school, college, institution, or other branch of  
 80 the Technical College System of Georgia.

81 20-2-327.

82 (a) Student performance at the advanced proficiency/honors level on any assessments  
 83 required for purposes of high school graduation shall be recognized as:

84 (1) Meeting postsecondary entrance test requirements, and

85 (2) Qualifying students to enroll in credit-bearing postsecondary course work in

86 accordance with policies and requirements established by the State Board of Education,

87 the Board of Regents of the University System of Georgia, and the State Board of

88 Technical and Adult Education.

89 (b) Secondary and postsecondary credit shall be awarded immediately upon successful

90 completion of any articulated or dual enrollment course in accordance with policies and

91 requirements established by the State Board of Education, the Board of Regents of the

92 University System of Georgia, and the State Board of Technical and Adult Education.

93 (c) Beginning with the 2010-2011 school year, students in the sixth, seventh, and eighth

94 grades shall be provided counseling, advisement, career awareness, career interest

95 inventories, and information to assist them in evaluating their academic skills and career

96 interests. Before the end of the second semester of the eighth grade, students shall develop

97 an individual graduation plan in consultation with their parents, guardians, or individuals  
 98 appointed by the parents or guardians to serve as their designee. High school students shall  
 99 be provided guidance, advisement, and counseling annually that will enable them to  
 100 successfully complete their individual graduation plans, preparing them for a seamless  
 101 transition to postsecondary study, further training, or employment. An individual  
 102 graduation plan shall:

103 (1) Include rigorous academic core subjects and focused course work in mathematics and  
 104 science or in humanities, fine arts, and foreign language or sequenced career pathway  
 105 course work;

106 (2) Incorporate provisions of a student's Individualized Education Program (IEP), where  
 107 applicable;

108 (3) Align educational and broad career goals and a student's course of study;

109 (4) Be based on the student's selected academic and career focus area as approved by the  
 110 student's parent or guardian;

111 (5) Include experience based, career oriented learning experiences which may include,  
 112 but not be limited to, internships, apprenticeships, mentoring, co-op education, and  
 113 service learning;

114 (6) Include opportunities for postsecondary studies through articulation, dual enrollment,  
 115 and joint enrollment;

116 (7) Be flexible to allow change in the course of study but be sufficiently structured to  
 117 meet graduation requirements and qualify the student for admission to postsecondary  
 118 education; and

119 (8) Be approved by the student and the student's parent or guardian with guidance from  
 120 the student's school counselor or teacher adviser.

121 An individual graduation plan shall be reviewed annually, and revised, if appropriate, upon  
 122 approval by the student and the student's parent or guardian with guidance from the  
 123 student's school counselor or teacher adviser. An individual graduation plan may be  
 124 changed at any time throughout a student's high school career upon approval by the student  
 125 and the student's parent or guardian with guidance from the student's school counselor or  
 126 teacher adviser.

127 20-2-328.

128 (a) Subject to appropriations by the General Assembly, the State Board of Education shall  
 129 establish a competitive grant program for local school systems to implement school reform  
 130 measures in selected high schools. The state board shall establish program requirements  
 131 in accordance with the provisions of this Code section and shall establish grant criteria,

132 which shall include that priority for reform grants shall be given to chronically  
133 low-performing high schools.

134 (b)(1) The State Board of Education shall develop an evidence based model program for  
135 chronically low-performing high schools receiving a reform grant pursuant to this Code  
136 section for addressing at-risk students, which shall include various programs and  
137 curricula that have proven to be effective for at-risk students focusing on:

138 (A) Identification of students at risk for being poorly prepared for the next grade level  
139 or for dropping out of school;

140 (B) Strengthening retention of ninth grade students in school and reducing high failure  
141 rates;

142 (C) Improving more students' performances to grade level standards in reading and  
143 mathematics by the end of ninth grade;

144 (D) Assisting students and their parents or guardians in setting an outcome career and  
145 educational goal and identifying a focused program of study to achieve such goal; and

146 (E) Assisting students in learning and applying study skills, coping skills, and other  
147 habits that produce successful students and adults.

148 (2) The at-risk model program shall include:

149 (A) Diagnostic assessments to identify strengths and weaknesses in the core academic  
150 areas;

151 (B) A process for identifying at-risk students, closely monitored by the Department of  
152 Education in collaboration with local school systems to ensure that students are being  
153 properly identified and provided timely, appropriate guidance and assistance and to  
154 ensure that no group is disproportionately represented; and

155 (C) An evaluation component in each high school to ensure the programs are providing  
156 students an opportunity to graduate with a high school diploma.

157 (3) The at-risk model program may include various components designed to result in  
158 more students facilitating a successful start in high school and passing ninth grade such  
159 as:

160 (A) Utilizing a flexible schedule that increases students' time in core language  
161 arts/reading and mathematics studies designed to eliminate academic deficiencies;

162 (B) Maintaining a student-teacher ratio in ninth grade that is no higher than any other  
163 grade level ratio in high school;

164 (C) Utilizing experienced and effective teachers as leaders for teacher teams in ninth  
165 grade to improve instructional planning, delivery, and reteaching strategies;

166 (D) Assigning students to a teacher mentor who will meet with them frequently to  
167 provide planned lessons on study skills and other habits of success that help students

168 become independent learners and who will help them receive the assistance they need  
 169 to successfully pass ninth grade; and

170 (E) Including ninth grade career courses which incorporate a series of miniprojects  
 171 throughout the school year that require the application of ninth grade level reading,  
 172 mathematics, and science skills to complete while students learn to use a range of  
 173 technology and help students explore a range of educational and career options that will  
 174 assist them in formulating post high school goals and give them a reason to stay in  
 175 school and work toward achieving their stated goals.

176 (c) The State Board of Education shall promulgate rules and regulations for chronically  
 177 low-performing high schools receiving a reform grant pursuant to this Code section to  
 178 make the high schools more relevant to and effective for all students. Such rules shall  
 179 encourage high schools to implement a comprehensive school reform research based model  
 180 that focuses on:

181 (1) Setting high expectations for all students;

182 (2) Personalizing graduation plans for students;

183 (3) Developing small learning communities or career academies with a rigorous  
 184 academic foundation and emphasis in broad career fields of study;

185 (4) Using project based instruction embedded with strong academics to improve  
 186 relevancy in learning;

187 (5) Fostering collaboration among academic and career/technical teachers;

188 (6) Implementing nontraditional scheduling in ninth grade for students behind in their  
 189 grade level;

190 (7) Promoting parental involvement; and

191 (8) Training teachers to work with low-performing students and their parents or  
 192 guardians.

193 (d) This Code section shall be subject to appropriations by the General Assembly.

194 20-2-329.

195 High schools that receive a reform grant pursuant to Code Section 20-2-328 shall:

196 (1) Provide focused programs of study which are designed to provide a well-rounded  
 197 education for students by fostering artistic creativity, critical thinking, and self-discipline  
 198 through the teaching of academic content, knowledge, and skills that students will use in  
 199 the workplace, further education, and life. The focused programs of study, whether  
 200 provided at a choice technical high school, a career academy, a traditional high school,  
 201 or on site at a technical school or college or a public college or university, shall be  
 202 aligned with graduation requirements established by the State Board of Education and  
 203 curriculum requirements established pursuant to Part 2 of this article, including, at a

204 minimum, four years of mathematics, Algebra I and higher, and four years of English,  
 205 with an emphasis on developing reading and writing skills to meet college and career  
 206 readiness standards;

207 (2) Implement a teacher adviser system;

208 (3) Provide students in the ninth through twelfth grades information on educational  
 209 programs offered in high school, in technical and community colleges, in colleges and  
 210 universities, and through apprenticeship programs and how these programs can lead to  
 211 a variety of career fields. Local school systems shall provide opportunities for field trips,  
 212 speakers, educational and career information centers, job shadowing, and classroom  
 213 centers to assist students and their parents or guardians, with guidance from school  
 214 counselors and teacher advisers, in revising, if appropriate, the individual graduation plan  
 215 developed pursuant to subsection (c) of Code Section 20-2-327;

216 (4) Enroll students no later than ninth grade into one of the following options for earning  
 217 a high school diploma and preparing students for postsecondary education and a career  
 218 which will include a structured program of academic study with in-depth studies in:

219 (A) Mathematics and science;

220 (B) Humanities, fine arts, and foreign language; or

221 (C) A career pathway that leads to passing an employer certification exam in a high  
 222 demand, high skill, or high wage career field or to an associate's degree or bachelor's  
 223 degree.

224 The awarding of a special education diploma to any disabled student who has not  
 225 completed all of the requirements for a high school diploma, but who has completed his  
 226 or her Individualized Education Program (IEP) shall be deemed to meet the requirements  
 227 of this paragraph;

228 (5) Implement the at-risk model program developed by the State Board of Education  
 229 pursuant to subsection (b) of Code Section 20-2-328;

230 (6) Comply with the rules and regulations promulgated by the State Board of Education  
 231 for chronically low-performing high schools pursuant to subsection (c) of Code Section  
 232 20-2-328; and

233 (7) Schedule annual conferences to assist students and their parents or guardians in  
 234 setting educational and career goals and creating individual graduation plans beginning  
 235 with students in the eighth grade and continuing through high school. These conferences  
 236 shall include, but are not limited to, assisting the student in identifying educational and  
 237 career interests and goals, selecting a career and academic focus area, and developing an  
 238 individual graduation plan.

239 20-2-329.1.

240 The State Board of Education shall promulgate rules and regulations necessary to carry out  
241 the provisions of this part."

242 **SECTION 2.**

243 Said article is further amended in Code Section 20-2-281, relating to assessment of  
244 effectiveness of educational programs, by adding a new subsection to read as follows:

245 "(q) The State Board of Education shall consider the passage by a student of an industry  
246 certification examination or a state licensure examination which is approved by the State  
247 Board of Education when considering whether to grant such student a variance for one or  
248 more portions of the high school graduation test required by the State Board of Education  
249 pursuant to subsection (a) of this Code section in order to obtain a Georgia high school  
250 diploma; provided, however, that the state board shall not grant a variance to a student  
251 unless the student has attempted and failed to pass the relevant portion of the high school  
252 graduation test at least four times."

253 **SECTION 3.**

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

256 **SECTION 4.**

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