

The House Committee on Higher Education offers the following substitute to SB 231:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to  
2 provide for preparatory tests for college entrance exams; to provide for enrollment counts for  
3 students in certain dual enrollment programs; to provide for requirements for weighting of  
4 students in certain dual enrollment courses under the Quality Basic Education Formula; to  
5 remove the sunset provision from the Georgia Master Teacher Program; to provide for  
6 placement on the state salary schedule for an educator who has a leadership degree but is not  
7 in a leadership position; to establish the PROMISE III teacher's scholarship; to provide for  
8 eligibility requirements; to provide for service cancelable requirements; to provide for the  
9 maximum amount; to provide for related matters; to repeal conflicting laws; and for other  
10 purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

13 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Part  
14 2 of Article 6 of Chapter 2, relating to competencies and core curriculum under the "Quality  
15 Basic Education Act," by adding a new Code section to read as follows:

16 "20-2-146.1.

17 (a) In the event that state funding is provided to local school systems to offer the PSAT to  
18 its students, such state funding shall also be made available for purposes of offering the  
19 ACT PLAN assessment to such students.

20 (b) It shall be the choice of each student as to which preparatory assessment he or she elects  
21 to take."

22 style="text-align:center">**SECTION 2.**

23 Said title is further amended by revising subsection (a) of Code Section 20-2-160, relating  
24 to determination of enrollment by institutional program, as follows:

25 "(a) The State Board of Education shall designate the specific dates upon which two counts  
26 of students enrolled in each instructional program authorized under this article shall be  
27 made each school year and by which the counts shall be reported to the Department of  
28 Education. The initial enrollment count shall be made after October 1 but prior to  
29 November 17 and the final enrollment count after March 1 but prior to May 1. The report  
30 shall indicate the student's specific assigned program for each one-sixth segment of the  
31 school day on the designated reporting date. No program shall be indicated for a student  
32 for any one-sixth segment of the school day that the student is assigned to a study hall; a  
33 noncredit course; a course recognized under this article or by state board policy as an  
34 enrichment course, except a driver education course; a course which requires participation  
35 in an extracurricular activity for which enrollment is on a competitive basis; a course in  
36 which the student serves as a student assistant to a teacher, in a school office, or in the  
37 media center, except when such placement is an approved work site of a recognized career  
38 or vocational program; an individual study course for which no outline of course objectives  
39 is prepared in writing prior to the beginning of the course; a course taken through the  
40 Georgia Virtual School pursuant to Code Section 20-2-319.1; or any other course or  
41 activity so designated by the state board. For the purpose of this Code section, the term  
42 'enrichment course' means a course which does not dedicate a major portion of the class  
43 time toward the development and enhancement of one or more student competencies as  
44 adopted by the state board under Code Section 20-2-140. A program shall not be indicated  
45 for a student for any one-sixth segment of the school day for which the student is not  
46 enrolled in an instructional program or has not attended a class or classes within the  
47 preceding ten days; nor shall a program be indicated for a student for any one-sixth  
48 segment of the school day for which the student is charged tuition or fees or is required to  
49 provide materials or equipment beyond those authorized pursuant to Code Section  
50 20-2-133. A student who is enrolled in an eligible institution under the program  
51 established in Code Section 20-2-161.1 may be counted for the high school program for  
52 only that portion of the day that the student is attending the high school for those segments  
53 that are eligible to be counted under this subsection. A student who is enrolled in a dual  
54 enrollment program other than as established in Code Section 20-2-161.1 shall be counted  
55 for the high school program or other appropriate program for each segment in which the  
56 student is attending the high school or attending a postsecondary course conducted at the  
57 high school, as long as the dual enrollment program is provided (1) at a charter school or  
58 (2) at a high school pursuant to an agreement between the local school system and a  
59 postsecondary institution if such agreement has been approved by the State Board of  
60 Education. The state board shall adopt such regulations and criteria as necessary to ensure  
61 objective and true counts of students in state approved instructional programs. The state

62 board shall also establish criteria by which students shall be counted as resident or  
 63 nonresident students, including specific circumstances which may include, but not be  
 64 limited to, students attending another local school system under court order or under the  
 65 terms of a contract between two local school systems. If a local school system has a  
 66 justifiable reason, it may seek authority from the state board to shift full-time equivalent  
 67 program counts from the designated date to a requested alternate date."

68 **SECTION 3.**

69 Said title is further amended in Code Section 20-2-161, relating to the Quality Basic  
 70 Education Formula, by adding a new subsection to read as follows:

71 "(c.1) For purposes of calculating the annual allotment of funds to each local school  
 72 system, a student who is enrolled in a dual enrollment program other than as established  
 73 in Code Section 20-2-161.1 shall be counted for the high school program or other  
 74 appropriate program for each segment in which the student is attending the high school  
 75 or attending a postsecondary course conducted at the high school, as long as the dual  
 76 enrollment program is provided (1) at a charter school or (2) at a high school pursuant to  
 77 an agreement between the local school system and a postsecondary institution if such  
 78 agreement has been approved by the State Board of Education."

79 **SECTION 4.**

80 Said title is further amended by revising Code Section 20-2-205, relating to the Georgia  
 81 Master Teacher Program, as follows:

82 "20-2-205.

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

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

88 (c) The Professional Standards Commission shall establish criteria for a Master Teacher  
 89 Certification. Such criteria shall include, at a minimum, evidence of student achievement,  
 90 which must include student progress. A public school teacher with three or more years of  
 91 teaching experience in Georgia may submit an application to the Professional Standards  
 92 Commission for a Master Teacher Certification. The Professional Standards Commission  
 93 shall review each application and determine whether a teacher meets the criteria for a  
 94 Master Teacher Certification. If the Professional Standards Commission finds that a  
 95 teacher's application meets the criteria, the teacher will be given a Master Teacher  
 96 Certification, and that teacher will be known as and may be called a Master Teacher for a

97 term to be determined pursuant to rules and regulations of the Professional Standards  
 98 Commission, but in no event longer than seven years. The Professional Standards  
 99 Commission is authorized to develop rules and regulations governing the Master Teacher  
 100 Certification.

101 ~~(d) This Code section shall be repealed on June 30, 2009.~~

102 **SECTION 5.**

103 Said title is further amended in Code Section 20-2-212, relating to salary schedules for  
 104 certificated personnel under the "Quality Basic Education Act," by revising subsection (a)  
 105 as follows:

106 "(a) The State Board of Education shall establish a schedule of minimum salaries for  
 107 services rendered which shall be on a ten-month basis and which shall be paid by local  
 108 units of administration to the various classifications of professional personnel required to  
 109 be certificated by the Professional Standards Commission. The minimum salary schedule  
 110 shall provide a minimum salary base for each classification of professional personnel  
 111 required to be certificated; shall provide for increment increases above the minimum salary  
 112 base of each classification based upon individual experience and length of satisfactory  
 113 service; and shall include such other uniformly applicable factors as the state board may  
 114 find relevant to the establishment of such a schedule. The minimum salary base for  
 115 certificated professional personnel with bachelor's degrees and no experience, when  
 116 annualized from a ten-month basis to a 12 month basis, shall be comparable to the  
 117 beginning salaries of the recent graduates of the University System of Georgia holding  
 118 bachelor's degrees and entering positions, excluding professional educator teaching  
 119 positions, in Georgia having educational entry requirements comparable to the  
 120 requirements for entry into Georgia public school teaching. The placement of teachers on  
 121 the salary schedule shall be based on certificate level and years of creditable experience,  
 122 except that a teacher shall not receive credit for any year of experience in which the teacher  
 123 received an unsatisfactory performance evaluation. For purposes of this subsection, an  
 124 educator's placement on the salary schedule shall not be based on a leadership degree,  
 125 which shall mean a degree earned in conjunction with completion of an educator leadership  
 126 preparation program approved by the Professional Standards Commission, if the degree  
 127 was earned on or after July 1, 2010, unless the educator is employed in a leadership  
 128 position as defined by the State Board of Education but shall be placed on the salary  
 129 schedule attributable to the educator but for the leadership certification; provided, however,  
 130 that this shall not apply to an educator who possessed a leadership certificate prior to July  
 131 1, 2010, regardless of whether or not he or she is in a leadership position. The General  
 132 Assembly shall annually appropriate funds to implement a salary schedule for certificated

133 professional personnel. For each state fiscal year, the state board shall adopt the salary  
 134 schedule for which funding has been appropriated by the General Assembly. A local unit  
 135 of administration shall not pay to any full-time certificated professional employee a salary  
 136 less than that prescribed by the schedule of minimum salaries, except as required by this  
 137 Code section; nor shall a local unit of administration pay to any part-time certificated  
 138 professional employee less than a pro rata portion of the respective salary prescribed by the  
 139 schedule of minimum salaries, except as required by this Code section."

140 **SECTION 6.**

141 Said title is further amended by adding a new Code section to read as follows:

142 "20-3-519.15.

143 (a) To be eligible for a PROMISE III teacher's scholarship, a student seeking alternative  
 144 certification as a teacher shall:

145 (1) Meet residency requirements by meeting the requirements to be classified as a legal  
 146 resident of Georgia for purposes of the tuition equalization grant;

147 (2) Possess a bachelor's degree or higher;

148 (3) Be accepted for enrollment into an approved alternative teacher certification program  
 149 in Georgia leading to initial certification. Such alternative program shall be a teacher  
 150 certification program not offered by a public or private postsecondary institution as  
 151 approved by the Professional Standards Commission; and

152 (4) Agree to teach in a public school in Georgia at the elementary, middle, or secondary  
 153 level for one academic year for each \$1,500.00 in PROMISE III teacher scholarship  
 154 funds awarded and sign a promissory note that stipulates the cash repayment obligation  
 155 incurred if the teaching service is not fulfilled.

156 (b) Subject to the amounts appropriated by the General Assembly and provisions relating  
 157 to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a PROMISE III  
 158 teacher's scholarship shall not exceed a total of \$3,000.00 per recipient.

159 (c) A student who terminates participation in the approved alternative teacher certification  
 160 program or who is otherwise dropped from participation by the program shall not be  
 161 eligible to continue receiving a PROMISE III teacher's scholarship. Such student shall also  
 162 not be eligible to receive a PROMISE teacher's scholarship or a PROMISE II teacher's  
 163 scholarship.

164 (d) A student shall not be eligible to receive a PROMISE III teacher's scholarship if such  
 165 student is ineligible for certification by action of the Georgia Professional Standards  
 166 Commission."

167

**SECTION 7.**

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