

SENATE SUBSTITUTE TO HB 193

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to provide for a 180 day school year or the
3 equivalent thereof; to revise a provision relating to a full-day kindergarten program; to revise
4 certain provisions relating to the base pay of school food and nutrition personnel; to revise
5 a provision relating to the residential high school program for gifted youth; to revise the
6 definition of the term "school year" relating to teacher contracts; to revise provisions relating
7 to unlawful disruption of or interference with the operation of public schools or public school
8 buses; to provide that a mental state of knowledge and intention or recklessness may be an
9 element of such offense; to provide for an effective date and for applicability; to revise
10 provisions relating to instructional activity concerning Veterans Day; to provide that public
11 elementary and secondary schools shall be closed on November 11 of each year in honor of
12 Veterans Day; to provide for related matters; to repeal conflicting laws; and for other
13 purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
17 secondary education, is amended in Code Section 20-2-151, relating to general and career
18 education programs, by revising subparagraph (b)(1)(A) as follows:

19 "(1)(A) All local school systems may offer a full-day kindergarten program. For
20 purposes of this subsection, the term 'full-day ~~basis~~ kindergarten program' means a
21 student is provided classroom instruction for a minimum of four and one-half hours
22 daily for a 180 day school year, or the equivalent thereof as determined in accordance
23 with State Board of Education guidelines."

24

SECTION 2.

25 Said chapter is further amended in Code Section 20-2-168, relating to distribution of federal
 26 funds, combined purchase of supplies and equipment, minimum school year, summer school
 27 programs, and year-round operation, by revising paragraph (1) of subsection (c) as follows:

28 "(c)(1) Except as otherwise provided in this Code section, public elementary and
 29 secondary schools of this state receiving state aid under this article may provide each
 30 eligible student with access to no less than 180 school days of education each fiscal year,
 31 or the equivalent thereof as determined in accordance with State Board of Education
 32 guidelines. The State Board of Education shall define a school year, which shall be no
 33 less than 180 days of instruction in accordance with the provisions of this subsection, or
 34 the equivalent thereof; shall define the length of the school day, based on a 180 day
 35 school year, and equivalent lengths; and shall provide that all public elementary and
 36 secondary schools, may beginning in the 2010-2011 school year, may be closed for
 37 instruction on November 11 of each year ~~as determined by each local board of education~~
 38 to enable students, teachers, and administrators to participate in Veterans Day programs
 39 to honor veterans of the armed forces."

40

SECTION 3.

41 Said chapter is further amended in Code Section 20-2-187, relating to state-wide school
 42 lunch program, instruction in nutrition, hygiene, etiquette, and social graces, and school food
 43 and nutrition, by amending paragraph (2) of subsection (c) as follows:

44 "(2) The base payment shall be calculated on the basis of ~~an annual number of hours (190~~
 45 ~~days multiplied by eight hours)~~ 1,520 hours in an annual school year for a full-time
 46 equivalent school lunch position, multiplied by an amount not less than \$161.00 per
 47 month for 12 months. Future annual increases in the base payment shall reflect the same
 48 percentage increase provided by the state for other state funded positions. The state
 49 board shall annually establish a state performance standard and shall determine the
 50 number of full-time equivalent school lunch positions needed to plan, prepare, and serve
 51 meals based on the state performance standard and the average daily number of student
 52 lunches served during the preceding school year."

53

SECTION 4.

54 Said chapter is further amended in Code Section 20-2-306, relating to honors program and
 55 residential high school program, by revising subsection (b) as follows:

56 "(b) The State Board of Education is authorized to inaugurate and operate a residential
 57 high school program for highly gifted and talented youth of this state. This residential high
 58 school program shall consist only of students in the eleventh and twelfth grades.

59 Enrollment shall be by student application and on a voluntary basis; provided, however,
 60 that the parent or legal guardian of each student must have signed an agreement authorizing
 61 enrollment in this program. This program shall be operated during the normal school year
 62 for a minimum of 180 days, or the equivalent thereof as determined in accordance with
 63 State Board of Education guidelines, in cooperation with one or more of the state
 64 universities or colleges from funds provided by the General Assembly. The state board is
 65 authorized to enter into cooperative agreements with the Board of Regents of the
 66 University System of Georgia concerning the operation and sharing of costs of this
 67 program. The state board shall prescribe policy, regulations, standards, and criteria as
 68 needed for the effective operation of this program."

69 **SECTION 5.**

70 Said chapter is further amended in Code Section 20-2-942, relating to procedure for
 71 nonrenewal after acceptance by teacher of school year contract for fourth consecutive school
 72 year, procedure for nonrenewal by another local board of education, professional certificated
 73 personnel, rights of school administrators, and tenure, by revising paragraph (2) of subsection
 74 (a) as follows:

75 "(2) 'School year' means a period of at least 180 school days, or the equivalent thereof
 76 as determined in accordance with State Board of Education guidelines, beginning in or
 77 about September and ending in or about June."

78 **SECTION 5A.**

79 Said chapter is further amended by revising Code Section 20-2-1181, relating to unlawful
 80 disruption of or interference with the operation of public schools or public school buses, as
 81 follows:

82 "20-2-1181.

83 It shall be unlawful for any person to knowingly and intentionally or recklessly disrupt or
 84 interfere with the operation of any public school, public school bus, or public school bus
 85 stop as designated by local school boards of education. Any person violating this Code
 86 section shall be guilty of a misdemeanor ~~of a high and aggravated nature.~~"

87 **SECTION 5B.**

88 Said chapter is further amended by revising Code Section 20-2-147, relating to instructional
 89 activity concerning Veterans Day, as follows:

90 "20-2-147.

91 On a school day ~~on or~~ immediately preceding or as close to the annual observance of
 92 Veterans Day as practicable as determined by a school's scheduled curriculum, each

93 elementary and secondary school may provide for instructional activity focusing on the
94 contributions of veterans and the importance of the armed forces of the United States.
95 Beginning in the 2010-2011 school year, public elementary and secondary schools may be
96 closed on Veterans Day as provided in paragraph (1) of subsection (c) of Code Section
97 20-2-168."

98 **SECTION 5C.**

99 This Act shall become effective upon its approval by the Governor or upon its becoming law
100 without such approval. Section 5A of this Act shall apply with respect to conduct on or after
101 that date, and conduct prior to that date shall continue to be governed by prior law.

102 **SECTION 6.**

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