

House Bill 193 (AS PASSED HOUSE AND SENATE)

By: Representatives Graves of the 12th, Casas of the 103rd, Maxwell of the 17th, May of the 111th, Benton of the 31st, and others

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 provide that a mental
7 state of knowledge and intention or recklessness may be an element of such offense; to
8 provide for an effective date and for applicability; to revise provisions relating to
9 instructional activity concerning Veterans Day; to provide that public elementary and
10 secondary schools shall be closed on November 11 of each year in honor of Veterans Day;
11 to provide for related matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

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

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

22 **SECTION 2.**

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

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

38 **SECTION 3.**

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

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

51 **SECTION 4.**

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

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

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

67 **SECTION 5.**

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

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

76 **SECTION 5A.**

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

79 "20-2-147.

80 On a school day ~~on~~ or immediately preceding or as close to the annual observance of
 81 Veterans Day as practicable as determined by a school's scheduled curriculum, each
 82 elementary and secondary school may provide for instructional activity focusing on the
 83 contributions of veterans and the importance of the armed forces of the United States.
 84 Beginning in the 2010-2011 school year, public elementary and secondary schools may be
 85 closed on Veterans Day as provided in paragraph (1) of subsection (c) of Code Section
 86 20-2-168."

87 **SECTION 5B.**

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

91

SECTION 6.

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