

House Bill 175

By: Representatives Casas of the 103rd, Harrell of the 106th, Davis of the 109th, Brockway of the 101st, Nix of the 69th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to other educational programs under the "Quality Basic Education Act,"
3 so as to enact the "Online Clearinghouse Act"; to create a clearinghouse through which local
4 school systems may offer their computer-based courses to students of other local school
5 systems; to provide for definitions; to provide for procedures and requirements for offering
6 a course through the clearinghouse; to provide for enrollment in virtual courses offered
7 through the clearinghouse; to provide for course fees and payment; to provide for assignment
8 of grades; to provide for offering of courses as dual enrollment and to nonpublic school
9 students; to provide for rules and regulations; to provide for statutory construction; to provide
10 for related matters; 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 This Act shall be known and may be cited as the "Online Clearinghouse Act."

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

15 Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
16 relating to other educational programs under the "Quality Basic Education Act," is amended
17 by adding a new Code section to read as follows:

18 "20-2-319.3.

19 (a) As used in this Code section, the term:

20 (1) 'Clearinghouse' means the clearinghouse established pursuant to subsection (b) of this
21 Code section.

22 (2) 'One credit' and 'half-credit' mean the customary academic unit of credit granted for
23 secondary school courses in this state.

24 (3) 'Student's school system' means the local school system operating the school in which
25 the student is lawfully enrolled.

26 (b)(1) The department shall establish a clearinghouse of interactive distance learning
27 courses and other distance learning courses delivered via a computer-based method
28 offered by local school systems for sharing with other local school systems and charter
29 schools for the fee set pursuant to subsection (d) of this Code section. The department
30 shall not be responsible for the content of the courses offered through the clearinghouse;
31 however, all such courses shall be delivered only in accordance with technical
32 specifications approved by the department.

33 (2) To offer a course through the clearinghouse, a local school system shall apply to the
34 department in a form and manner prescribed by the department. The application for each
35 course shall describe the course of study in as much detail as required by the department,
36 the qualification and credentials of the teacher, the number of hours of instruction, the
37 technology required to deliver and receive the course, the technical capacity of the local
38 school system to deliver the course, the times that the local school system plans to deliver
39 the course, and any other information required by the department. The department may
40 require local school systems to include in their applications information recommended
41 by the State Board of Education.

42 (3) The department shall review the technical specifications of each application
43 submitted pursuant to paragraph (2) of this subsection and shall approve a course offered
44 if the department determines that the local school system can satisfactorily deliver the
45 course through the technology necessary for that delivery. The department may request
46 additional information from a local school system that submits an application pursuant
47 to paragraph (2) of this subsection, if the department determines that such information is
48 necessary. The department may negotiate changes in the proposal to offer a course, if the
49 department determines that changes are necessary in order to approve the course.

50 (4) The department shall catalog each course approved for the clearinghouse, through a
51 print or electronic medium, displaying the following:

52 (A) Information necessary for a student and the student's parent, guardian, or custodian
53 and the student's school system or the student's charter school to decide whether to
54 enroll in the course; and

55 (B) Instructions for enrolling in that course, including deadlines for enrollment.

56 (c)(1) A student who is enrolled in a school operated by a local school system or in a
57 charter school may enroll in a course included in the clearinghouse only if both of the
58 following conditions are satisfied:

59 (A) The student's enrollment in the course is approved by the student's school system
60 or the student's charter school; and

61 (B) The student's school system or the student's charter school agrees to accept for
62 credit the grade assigned by the local school system delivering the course.

63 (2) For each student enrolling in a course, the student's school system or the student's
64 charter school shall transmit the student's identification number and the student's name
65 to the local school system delivering the course. The school system delivering the course
66 may request from the student's school system or the student's charter school other
67 information from the student's school record. The student's school system or the student's
68 charter school shall provide the requested information only in accordance with state law.

69 (3) The student's school system or the student's charter school shall determine the
70 manner in which and facilities at which the student shall participate in the course
71 consistent with specifications for technology and connectivity adopted by the department.

72 (4) A student may withdraw from a course prior to the end of the course only by a date
73 and in a manner prescribed by the student's school system or the student's charter school.

74 (5) A student who is enrolled in a school operated by a local school system or in a
75 charter school and who takes a course included in the clearinghouse shall be counted in
76 the funding formula of the student's school system as if the student were taking the course
77 from the student's school system or the student's charter school.

78 (d)(1) The department shall set appropriate fees for one-credit and half-credit courses.

79 (2) The department shall proportionally reduce the fee for any student who withdraws
80 from a course prior to the end of the course pursuant to paragraph (4) of subsection (c)
81 of this Code section.

82 (3) For each student enrolled in a course included in the clearinghouse, and not later than
83 the last day of that course, the department shall deduct the amount of the fee for that
84 course from the student's school system and shall pay that amount to the local school
85 system delivering the course.

86 (4) From the funds received pursuant to paragraph (3) of this subsection, the local school
87 system delivering the course shall pay the teacher conducting the course such additional
88 amount of compensation as set by the department based on the number of students taking
89 the course and the course fee.

90 (e) The grade for a student who enrolls in a course included in the clearinghouse shall be
91 assigned by the local school system that delivers the course and shall be transmitted by that
92 school system to the student's school system or the student's charter school.

93 (f) The department may determine the manner in which a course included in the
94 clearinghouse may be offered as a dual enrollment program, may be offered to students
95 who are enrolled in nonpublic schools or a home study program pursuant to Code Section
96 20-2-690, or may be offered at times outside the normal school day or school week,
97 including any necessary additional fees and methods of payment for a course so offered.

98 (g) The department shall promulgate rules and regulations for the implementation of this
99 Code section. The department may coordinate the clearinghouse established pursuant to

100 this Code section with the Georgia Virtual School established pursuant to Code Section
101 20-2-319.1.
102 (h) Nothing in this Code section shall prohibit a local school system from offering an
103 interactive distance learning course or other distance learning course using a
104 computer-based method through any means other than the clearinghouse established and
105 maintained under this Code section."

106 **SECTION 3.**

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