

House Bill 175 (COMMITTEE SUBSTITUTE)

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 and charter schools may offer their computer-based courses to students in
5 other local school systems and charter schools; to provide for definitions; to provide for
6 procedures and requirements for offering a course through the clearinghouse; to provide for
7 enrollment in virtual courses offered through the clearinghouse; to provide for course fees
8 and payment; to provide for assignment of grades; to provide for offering of courses as dual
9 enrollment and to nonpublic school students; to provide for rules and regulations; to provide
10 for statutory construction; to provide for related matters; to repeal conflicting laws; and for
11 other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 This Act shall be known and may be cited as the "Online Clearinghouse Act."

15 **SECTION 2.**

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

19 "20-2-319.3.

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

21 (1) 'Charter school' means a local charter school, as defined in paragraph (7) of Code
Section 20-2-2062, a state chartered special school, as defined in paragraph (16) of Code
Section 20-2-2062, and a commission charter school, as defined in paragraph (2) of Code
Section 20-2-2081.

25 (2) 'Clearinghouse' means the clearinghouse established pursuant to subsection (b) of this
26 Code section.

27 (3) 'One credit' and 'half-credit' mean the customary academic unit of credit granted for
28 secondary school courses in this state.

29 (4) 'Student's school system' means the local school system operating the school in which
30 the student is lawfully enrolled.

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

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

48 (3) The department shall review the technical specifications of each application
49 submitted pursuant to paragraph (2) of this subsection and shall approve a course offered
50 if the department determines that the local school system or charter school can
51 satisfactorily deliver the course through the technology necessary for that delivery. The
52 department may request additional information from a local school system or charter
53 school that submits an application pursuant to paragraph (2) of this subsection, if the
54 department determines that such information is necessary. The department may negotiate
55 changes in the proposal to offer a course, if the department determines that changes are
56 necessary in order to approve the course.

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

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

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

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

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

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

71 (2) For each student enrolling in a course, the student's school system or the student's
72 charter school shall transmit the student's identification number and the student's name
73 to the local school system or charter school delivering the course. The school system or
74 charter school delivering the course may request from the student's school system or the
75 student's charter school other information from the student's school record. The student's
76 school system or the student's charter school shall provide the requested information only
77 in accordance with state law.

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

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

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

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

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

92 (3) For each student enrolled in a course included in the clearinghouse, and not later than
93 the last day of that course, the department shall deduct the amount of the fee for that
94 course from the student's school system or charter school allotment and shall pay that
95 amount to the local school system or charter school delivering the course.

96 (4) From the funds received pursuant to paragraph (3) of this subsection, the local school
97 system or charter school delivering the course shall pay the teacher conducting the course

such additional amount of compensation as set by the department based on the number of students taking the course and the course fee.

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

104 (f) The department may determine the manner in which a course included in the
105 clearinghouse may be offered as a dual enrollment program, may be offered to students
106 who are enrolled in nonpublic schools or a home study program pursuant to Code Section
107 20-2-690, or may be offered at times outside the normal school day or school week,
108 including any necessary additional fees and methods of payment for a course so offered

109 (g) The department shall promulgate rules and regulations for the implementation of this
110 Code section. The department may coordinate the clearinghouse established pursuant to
111 this Code section with the Georgia Virtual School established pursuant to Code Section
112 20-2-319.1.

113 (h) Nothing in this Code section shall prohibit a local school system or charter school from
114 offering an interactive distance learning course or other distance learning course using a
115 computer-based method through any means other than the clearinghouse established and
116 maintained under this Code section."

SECTION 3.

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