

Senate Bill 404

By: Senators Millar of the 40th, Stoner of the 6th, Ligon, Jr. of the 3rd, Shafer of the 48th and Carter of the 42nd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to the "Quality Basic Education Act," so as to provide for the development of  
3 category-level expenditure controls for staff development funds; to include school level  
4 administrators in professional development funding under the Quality Basic Education  
5 Formula; to provide for state-wide strategic initiatives for professional development; to  
6 provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the  
10 "Quality Basic Education Act," is amended by revising paragraph (3) of subsection (a) of  
11 Code Section 20-2-167, relating to funding for direct instructional, media center, and staff  
12 development costs, as follows:

13 "(3) The state board shall annually compute, based upon the initial allotment of funds to  
14 each local school system, the total funds needed system wide for staff development costs.  
15 In computing the total funds needed for these categories, the state board shall apply the  
16 percentage that these costs represent of the total costs used in developing the program  
17 weights. Following the midterm adjustment, the state board shall issue allotment sheets  
18 for each local school system and each school reflecting the total amount, initial earnings,  
19 and midterm adjustment, if any, of earnings for each program specified in subsection (b)  
20 of Code Section 20-2-161. Each local school system shall spend 100 percent of the funds  
21 designated for staff and professional development costs, as allowed by State Board of  
22 Education policy, for such costs. The State Board of Education, in consultation with the  
23 Professional Standards Commission, shall establish category-level expenditure controls  
24 to ensure that the staff development funds allotted pursuant to this paragraph are utilized  
25 in such a manner as to help align professional learning with results in improved student  
26 achievement. Such category-level expenditure controls shall be established no later than

27 July 1, 2015, and shall reflect the revised certification renewal rules established by the  
 28 Professional Standards Commission pursuant to paragraph (4.1) of subsection (b) of Code  
 29 Section 20-2-200 regarding the impact of professional learning on student achievement.  
 30 For each local school system which is granted an additional allotment for the midterm  
 31 adjustment pursuant to Code Section 20-2-162, these amounts shall be increased by the  
 32 portion of the midterm adjustment allotment which is applied to staff development. In  
 33 the event a local school system does not actually enroll the full-time equivalent count that  
 34 was anticipated by its initial allocation and it elects to return a portion of its allocation for  
 35 staff development and professional development costs to the state, the 100 percent  
 36 amount for staff development shall be reduced by that returned amount. Quality Basic  
 37 Education Formula funds in excess of the amount required by this paragraph to be  
 38 expended by a local school system for staff development and professional development  
 39 of certificated and instructional personnel which are not expended for this purpose may  
 40 be expended only for staff development of noncertificated personnel employed by the  
 41 local school system and the members of the local school board, for meeting certification  
 42 requirements of personnel, and for administration and operation of the staff development  
 43 and professional development programs authorized pursuant to subsection (h) of Code  
 44 Section 20-2-182."

## 45 SECTION 2.

46 Said article is further amended by revising subsection (h) of Code Section 20-2-182, relating  
 47 to program weights to reflect funds for payment of salaries and benefits, as follows:

48 "(h) All program weights, when multiplied by the base amount, shall reflect, whenever  
 49 they are revised pursuant to subsection (f) of Code Section 20-2-161, an amount of funds  
 50 for the purpose of providing staff and professional development to certificated and  
 51 classified personnel and local school board members which shall be at least equivalent to  
 52 ~~1.5~~ 1.0 percent of salaries of all certificated professional personnel used in the development  
 53 of each respective program weight, subject to appropriation by the General Assembly.  
 54 Beginning in Fiscal Year 2014, such amount shall include funding for school level  
 55 administrators in the same manner as for other certificated professional personnel.  
 56 Beginning in Fiscal Year 2015, such amount shall be at least equivalent to 0.9 percent of  
 57 salaries of all certificated professional personnel, including school level administrators,  
 58 used in the development of each respective program weight, subject to appropriation by the  
 59 General Assembly. Funds used for professional or staff development purposes may be  
 60 used throughout the fiscal year, including days when students are not present at school, to  
 61 meet professional or staff development needs in the order of priority determined by the  
 62 local board of education within the comprehensive professional and staff development

63 program plan approved by the State Board of Education pursuant to Code Section  
 64 20-2-232. Such professional and staff development program plan shall address deficiencies  
 65 of certificated personnel as identified by evaluations required under Code Section  
 66 20-2-210. ~~Where possible, professional~~ Further, professional and staff development funds  
 67 shall be used for activities that enhance the skills of certificated personnel and directly  
 68 relate to student achievement, as reflected in the revised certification renewal rules  
 69 established by the Professional Standards Commission pursuant to paragraph (4.1) of  
 70 subsection (b) of Code Section 20-2-200 regarding the impact of professional learning on  
 71 student achievement. Subsequent certificated personnel evaluations shall include an  
 72 assessment of an employee's professional and staff development activities and their effect  
 73 on identified deficiencies and student achievement. Funds for professional development  
 74 purposes may be used for activities occurring at any time during the fiscal year outside of  
 75 an employee's normal contract hours."

76 **SECTION 3.**

77 Said article is further amended in Part 5, relating to program weights and funding  
 78 requirements, by adding a new Code section to read as follows:

79 "20-2-190.

80 (a) Subject to appropriations by the General Assembly, the State Board of Education shall  
 81 provide professional development centered on state-wide strategic initiatives. Such  
 82 strategic initiatives may include, but are not limited to, training on the new common core  
 83 curriculum, support for under-performing educators, and mentoring programs in specific  
 84 subject areas.

85 (b) It is the intention of the General Assembly that:

86 (1) For Fiscal Year 2014, an amount equivalent to 0.15 percent of salaries of all  
 87 certificated professional personnel, including school level administrators, used in the  
 88 development of each respective program weight be appropriated to the State Board of  
 89 Education for purposes of funding state-wide strategic initiatives for professional  
 90 development, as provided in subsection (a) of this Code section; and

91 (2) For Fiscal Year 2015 and thereafter, an amount equivalent to 0.25 percent of salaries  
 92 of all certificated professional personnel, including school level administrators, used in  
 93 the development of each respective program weight be appropriated to the State Board  
 94 of Education for purposes of funding state-wide strategic initiatives for professional  
 95 development, as provided in subsection (a) of this Code section."

96

**SECTION 4.**

97 Said article is further amended by revising paragraph (4.1) of subsection (b) of Code Section  
 98 20-2-200, relating to regulation of certificated professional personnel by the Professional  
 99 Standards Commission, as follows:

100 "(4.1)(A) Prior to July 1, 2015, the Professional Standards Commission shall revise its  
 101 certification renewal rules established pursuant to paragraph (4) of this subsection; to  
 102 require demonstration of the impact of professional learning on educator performance  
 103 and student learning for purposes of certification renewal. Such revised rules shall be  
 104 effective beginning July 1, 2015. As part of the revision process, the Professional  
 105 Standards Commission shall establish a task force to determine the level of evidence  
 106 necessary for educators to demonstrate the impact of professional learning and how  
 107 such evidence will be collected and submitted for purposes of certificate renewal.

108 (B) It is the intention of the General Assembly that, for Fiscal Year 2013, an amount  
 109 equivalent to 0.01 percent of salaries of all certificated professional personnel used in  
 110 the development of each respective program weight be appropriated to the Professional  
 111 Standards Commission for purposes of implementing subparagraph (A) of this  
 112 paragraph. The Professional Standards Commission may provide subgrants to the State  
 113 Board of Education to assist in establishing new category-level expenditure controls  
 114 aligned with the revised rules."

115

**SECTION 5.**

116 Said article is further amended by revising subsection (b) of Code Section 20-2-201, relating  
 117 to specific course requirements, in-service or continuing education, and on-line offerings for  
 118 certificated professional personnel, as follows:

119 "(b) Each local unit of administration shall be required to provide all professional  
 120 personnel certificated by the Professional Standards Commission 12 clock hours of  
 121 in-service or continuing education in each calendar year, or meet requirements of the  
 122 Southern Association of Colleges and Schools. Such in-service programs shall be  
 123 developed by the local unit of administration in conjunction with such agencies as regional  
 124 educational service agencies, colleges and universities, and other appropriate organizations.  
 125 These programs shall be designed to address identified needs determined by appropriate  
 126 personnel evaluation instruments. These programs shall also focus on improving the skills  
 127 of certificated personnel that directly relate to improving student achievement, as reflected  
 128 in the revised certification renewal rules established by the Professional Standards  
 129 Commission pursuant to paragraph (4.1) of subsection (b) of Code Section 20-2-200  
 130 regarding the impact of professional learning on student achievement. Records of

131 attendance shall be maintained by local units of administration and shall be monitored by  
132 appropriate Department of Education staff."

133 **SECTION 6.**

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