

The Senate Education and Youth Committee offered following substitute to SB 410:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 3 of Article 2 of Chapter 14 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to an accountability assessment for K-12 education, so as to provide for  
3 annual indicators of the quality of learning by students, financial efficiency, and school  
4 climate for individual schools and for school systems; to provide for individual school and  
5 school system numerical score ratings based on student achievement, achievement gap  
6 closure, and student progress; to require that a letter grade be assigned to each school and  
7 school system and included on school and school system report cards; to revise provisions  
8 relating to awards and interventions; to provide for related matters; to repeal conflicting laws;  
9 and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

11 Part 3 of Article 2 of Chapter 14 of Title 20 of the Official Code of Georgia Annotated,  
12 relating to an accountability assessment for K-12 education, is amended by revising Code  
13 Section 20-14-33, relating to indicators of quality of learning in individual schools and  
14 school systems, comparison to state standards, rating schools and school systems, and other  
15 matters, as follows:

16 "20-14-33.

17 (a) The office, in coordination with the Department of Education, shall adopt and  
18 ~~biennially~~ annually review, and revise as necessary, indicators of the quality of learning by  
19 students, financial efficiency, and school climate for individual schools and for school  
20 systems in an individual school and school system.

21 (b) The performance indicators of ~~student achievement and school performance must be~~  
22 ~~based on information that is disaggregated with respect to~~ quality of learning shall be based  
23 on data that include student achievement, achievement gap closure, and student progress.  
24 The performance indicators of quality of learning shall include all students regardless of  
25 ethnicity, sex, disability, language proficiency, and socioeconomic status and must include  
26

27 shall be disaggregated by all subgroups as required under the federal Elementary and  
 28 Secondary Education Act, as amended:

29 ~~(1) The results of assessment instruments required under Code Section 20-2-281,~~  
 30 ~~aggregated by grade level and subject area;~~

31 ~~(2) Dropout rates for each school;~~

32 ~~(3) Student attendance rates for each school;~~

33 ~~(4) School completion rates for each school;~~

34 ~~(5) The percentage of graduating students who attain scores on the Georgia high school~~  
 35 ~~graduation test required under Code Section 20-2-281 that are equivalent to a passing~~  
 36 ~~score on the test instrument until such time as the Georgia high school graduation test is~~  
 37 ~~discontinued as provided in Code Section 20-2-281;~~

38 ~~(6) The percentage of graduating students who meet the course requirements established~~  
 39 ~~for the recommended high school program by State Board of Education rule;~~

40 ~~(7) The percentage of students taking end-of-course assessment instruments under Code~~  
 41 ~~Section 20-2-281;~~

42 ~~(8) The percentage of high school students who pass the end-of-course assessment~~  
 43 ~~instrument in core subjects;~~

44 ~~(9) The results of the Scholastic Assessment Test or the ACT Assessment;~~

45 ~~(10) The percentage of students taking alternate assessments under subsection (d) of~~  
 46 ~~Code Section 20-2-281;~~

47 ~~(11) The average time that a student placed in an early intervention program remains~~  
 48 ~~before attaining grade level status and returning to regular status; and~~

49 ~~(12) Any other indicator the office adopts.~~

50 (c) Performance on the indicator indicators of quality of learning, financial efficiency,  
 51 school climate, and any other indicators the office adopts shall be compared to state  
 52 standards, progress on improved student achievement, and comparable performance. The  
 53 standards for comparison shall be established by the office as provided in Code Section  
 54 20-14-31, in coordination with the Department of Education. Data and information  
 55 regarding the ~~standard~~ standards shall be included in the annual report provided for in  
 56 paragraph (2) of subsection (a) of Code Section 20-14-27. Financial efficiency may  
 57 include an analysis of how federal and state funds spent by local school systems impact  
 58 student achievement and school improvement, and components used to determine financial  
 59 efficiency may include actual achievement, resource efficiency, and student participation  
 60 in standardized testing. School climate determinations may utilize data from student health  
 61 surveys, data on environmental and behavior indicators, data on student behavioral and  
 62 school-based reactions, and teacher and parent survey instruments. Financial efficiency

63 and school climate shall have one of the following star ratings based upon the factors  
 64 included in this subsection, as further defined by rules and regulations of the office:

65 (1) '5-star' schools ranked excellent according to the state determined financial efficiency  
 66 or school climate index, as appropriate;

67 (2) '4-star' schools ranked above average according to the state determined financial  
 68 efficiency or school climate index, as appropriate;

69 (3) '3-star' schools ranked satisfactory according to the state determined financial  
 70 efficiency or school climate index, as appropriate;

71 (4) '2-star' schools ranked below satisfactory according to the state determined financial  
 72 efficiency or school climate index, as appropriate; or

73 (5) '1-star' schools ranked failing according to the state determined financial efficiency  
 74 or school climate index, as appropriate.

75 (d) The office, in coordination with the Department of Education, shall establish and  
 76 annually calculate individual school and school system ratings, which shall be a numerical  
 77 score on a scale of 0-100, for each public school and school system in this state based on  
 78 the indicators of quality of learning adopted pursuant to this Code section for student  
 79 achievement, achievement gap closure, and student progress for annual academic  
 80 performance on the assessment instruments required under Code Section 20-2-281.

81 (e) Each school system shall provide all student performance data and all other ~~student~~  
 82 ~~school completion and attendance~~ data necessary for the calculation of the school and  
 83 school system rating to the Department of Education's educational information system in  
 84 accordance with rules and timelines established by the State Board of Education and the  
 85 Department of Education shall make such data available to the office to enable it to conduct  
 86 its required duties.

87 (f) The office shall develop and the State Board of Education shall adopt a uniform  
 88 definition of 'dropout.' All schools and school systems shall report student dropout  
 89 information to the Department of Education's educational information system in  
 90 accordance with rules and timelines established by the state board as provided in  
 91 subsection (b) of Code Section 20-2-167. Each school system shall cooperate with the  
 92 office in determining whether a student is a dropout under this subsection and shall adopt  
 93 the uniform definition of 'dropout.' Data and information regarding the establishment of  
 94 the definition and the tracking of dropout and school completion data shall be included in  
 95 the annual report provided for in paragraph (2) of subsection (a) of Code Section 20-14-27.  
 96 School completion data shall be included in the performance indicators of quality of  
 97 learning for each school and school system.

98 (g) The office shall develop and the State Board of Education shall adopt a uniform  
 99 definition of a 'below grade level' student for purposes of placing students in the early

100 intervention program under Code Section 20-2-153 and for purposes of tracking these  
 101 students for accountability purposes. Data and information regarding the establishment of  
 102 the definition shall be included in the annual report provided for in paragraph (2) of  
 103 subsection (a) of Code Section 20-14-27.

104 ~~(h) The office shall annually review the performance of each school and school system on~~  
 105 ~~the indicators in subsection (b) of this Code section and determine whether a change in the~~  
 106 ~~school or school system rating status of the school or school system is warranted."~~

107 **SECTION 2.**

108 Said chapter is further amended by revising Code Section 20-14-34, relating to school report  
 109 cards and the required information and dissemination of such report cards, as follows:

110 "20-14-34.

111 (a) Each school year, the office shall prepare and distribute to each school system in the  
 112 State of Georgia a report card for each school in the school system and for the school  
 113 system in the State of Georgia. The school report cards ~~must be~~ shall include performance  
 114 data on quality of learning, financial efficiency, and school climate as calculated pursuant  
 115 to Code Section 20-14-33 and based on the most current data available disaggregated by  
 116 student groups. Beginning with the 2013-2014 school year, the office shall assign a letter  
 117 grade of A, B, C, D, or F, including plus or minus delineations, for each school and school  
 118 system. Such letter grade shall be derived from the numerical rating score calculated  
 119 pursuant to Code Section 20-14-33 with a majority of the grade based upon student  
 120 achievement. School performance must be compared to:

- 121 ~~(1) Previous school and local school system performance;~~  
 122 ~~(2) Current school and local school system performance in relation to the absolute~~  
 123 ~~student achievement standards and progress on improved student achievement;~~  
 124 ~~(3) Comparable school group performance; and~~  
 125 ~~(4) Any other indicators adopted by the State Board of Education.~~

126 This report card on schools shall be the official state education performance report and  
 127 supersedes all other reports that may be issued by departments of the state government for  
 128 matters of funding, awards, and interventions.

129 (b) The report card cards shall include the following information, where applicable:

- 130 (1) The school or school system letter grade assigned pursuant to subsection (a) of this  
 131 Code section;  
 132 (2) The individual school and school system ratings in a numerical format as provided  
 133 for in subsection (d) of Code Section 20-14-33;  
 134 ~~(2) The academic excellence indicators in subsection (b) of Code Section 20-14-33;~~  
 135 ~~(3) Teacher-student ratios; and~~

- 136 ~~(4) Administrative and instructional costs per student and other financial accounting~~  
 137 ~~information as may be required.~~
- 138 (3) A financial efficiency rating for each school and school system;  
 139 (4) A school climate rating for each school and school system;  
 140 (5) An explanation of the criteria that informs the school and school system rating; and  
 141 (6) An explanation of the criteria that informs the financial efficiency and school climate  
 142 ratings.
- 143 (c) Each school year, the office shall prepare and distribute a state-wide report card,  
 144 aggregated by school systems and disaggregated by student groups, reporting on the  
 145 ~~student performance and school completion~~ results of each school and each school system  
 146 in the state and a rating and letter grade for each school and each school system as provided  
 147 for in subsection (d) of Code Section 20-14-33 and subsection (a) of this Code section.
- 148 (d) The State Board of Education shall adopt rules requiring dissemination of appropriate  
 149 ~~student performance and school completion performance~~ portions of school and school  
 150 system report cards annually to the parent, guardian, conservator, or other person having  
 151 lawful control of each student at the school. On written request, the local school system  
 152 shall provide a copy of a school or school system report card to any other party. These  
 153 ~~reports~~ report cards shall be posted on the Office of Student Achievement website, the  
 154 Department of Education website, and the existing website of such local school system."

155 **SECTION 3.**

156 Said chapter is further amended by revising Code Section 20-14-38, relating to financial  
 157 awards and proclamations by the Governor, as follows:

158 "20-14-38.

- 159 (a) Financial awards ~~will~~ may be provided to the schools that the director determines have  
 160 demonstrated the greatest improvement in ~~achieving the education goals of improved~~  
 161 ~~student achievement and improved school completion~~ achievement gap closure, subject to  
 162 appropriation by the General Assembly and any limitation set by the director on the total  
 163 amount that may be awarded to a school or local school system.
- 164 (b) Financial awards ~~will~~ may be provided to each school that is identified by the director  
 165 for performance ~~on either or both excellence~~ in student achievement and or student  
 166 ~~progress on student achievement~~. The certificated personnel in a school that is identified  
 167 by the director as either a best performing school or better performing school in either or  
 168 both categories ~~will~~ may be provided a bonus for the year the school was identified of  
 169 \$1,000.00 for each best performing school designation and \$500.00 for each better  
 170 performing school designation. The maximum individual annual bonus for certificated  
 171 personnel shall not exceed \$2,000.00 and shall be provided subject to appropriation by the

172 General Assembly or as otherwise may be provided. An additional financial award ~~will~~  
 173 may be provided to each school for noncertificated personnel in the amount of \$10,000.00  
 174 for each designation of best performing school and \$5,000.00 for each designation of better  
 175 performing school, provided that the total lump sum noncertificated personnel award for  
 176 an individual school shall not exceed \$20,000.00; provided, further, that funds for this  
 177 purpose are appropriated by the General Assembly or as otherwise may be provided. The  
 178 school receiving this noncertificated personnel award shall determine the distribution of  
 179 the award among such personnel of its school.

180 (c) The Governor may present proclamations or certificates to schools and school systems  
 181 determined to have met or exceeded the state's education goals under Code Section  
 182 20-14-30."

#### 183 **SECTION 4.**

184 Said chapter is further amended in Code Section 20-14-41, relating to appropriate levels of  
 185 intervention for failing schools, by revising subsection (a) as follows:

186 "(a) The State Board of Education shall by policies, rules, or regulations establish a  
 187 coherent and sustained system of assistance and support for schools not meeting identified  
 188 levels of achievement or not showing specified levels of progress as determined by the  
 189 office. The State Board of Education shall by policies, rules, or regulations specify  
 190 appropriate levels of assistance and intervention for schools that receive an unacceptable  
 191 rating on ~~student performance for the absolute student achievement standard or on progress~~  
 192 ~~on improved student achievement, achievement gap closure, or student progress, or any~~  
 193 combination thereof. In specifying levels of assistance and intervention, the State Board  
 194 of Education shall consider the number of years a school has received an unacceptable  
 195 rating and may include one or more of the following interventions:

- 196 (1) Issuing public notice of the deficiency to the local board of education;
- 197 (2) Ordering a hearing to be conducted at the school by the local board of education with  
 198 the participation of the school council for the purpose of notifying the public of the  
 199 unacceptable performance, the improvements in performance expected by the office, and  
 200 the interventions that may be imposed under this Code section if the performance does  
 201 not improve within a designated period of time and of soliciting public comment on the  
 202 initial steps being taken to improve performance;
- 203 (3) Ordering the preparation of an intensive student achievement improvement plan that  
 204 addresses each academic excellence indicator for which the school's performance is  
 205 unacceptable, the submission of the plan to the State Board of Education for approval,  
 206 and implementation of the plan;
- 207 (4) Appointing a Department of Education school improvement team to:

- 208 (A) Conduct a comprehensive on-site evaluation of each low-performing school to  
209 determine the cause for the school's low performance and lack of progress that includes  
210 presentations by the chairperson of the local board of education, the school principal,  
211 a parent member of the local school council, and other school personnel;
- 212 (B) Recommend actions, including reallocation of resources and technical assistance,  
213 changes in school procedures or operations, professional learning focused on student  
214 achievement for instructional and administrative staff, intervention for individual  
215 administrators or teachers, instructional strategies based on scientifically based  
216 research, waivers from state statutes or rules, adoption of policies and practices to  
217 ensure all groups of students meet the state's proficiency level, extended instruction  
218 time for low-performing students, strategies for parental involvement, incorporation of  
219 a teacher mentoring program, smaller class size for low-performing students, or other  
220 actions the team considers appropriate;
- 221 (C) Assist in the development of an intensive school improvement plan focused on  
222 student achievement required by paragraph (3) of this subsection; and
- 223 (D) Monitor the progress of the school in implementing the intensive school  
224 improvement plan focused on student achievement;
- 225 (5) If a school has received an unacceptable rating for a period of two consecutive years  
226 or more, appointing a school master or management team to oversee and direct the duties  
227 of the principal of the school in relation to the school until school performance improves  
228 and the school is released from intervention by the director, with the cost of the master  
229 or management team to be paid by the state; or
- 230 (6) If a school has received an unacceptable rating for a period of three consecutive years  
231 or more, the State Board of Education shall, subject to the provisions of subsection (f) of  
232 this Code section, implement one or more of the following interventions or sanctions:
- 233 (A) Removal of school personnel on recommendation of the master or the school  
234 improvement team, including the principal and personnel whose performance has  
235 continued not to produce student achievement gains over a three-year period as a  
236 condition for continued receipt of state funds for administration;
- 237 (B) Allow for the implementation of a state charter school through the designation by  
238 the State Board of Education;
- 239 (C) Mandate the complete reconstitution of the school, removing all personnel,  
240 appointing a new principal, and hiring all new staff. Existing staff may reapply for  
241 employment at the newly reconstituted school but shall not be rehired if their  
242 performance regarding student achievement has been negative for the past three years;
- 243 (D) Mandate that the parents have the option to relocate the student to other public  
244 schools in the local school system to be chosen by the parents of the student from a list

245 of available options provided by the local school system. The local school system shall  
246 provide transportation for students in Title I schools in accordance with the  
247 requirements of federal law. The local school system may provide transportation for  
248 students in non-Title I schools. In any year in which the General Assembly does not  
249 appropriate funds for the provision of transportation to non-Title I students, the parent  
250 or guardian shall assume responsibility for the transportation of that student;  
251 (E) Mandate a monitor, master, or management team in the school that shall be paid  
252 by the district;  
253 (F) Continue the intensive student achievement improvement plan provided for in  
254 paragraph (3) of this subsection; or  
255 (G) Mandate a complete restructuring of the school's governance arrangement and  
256 internal organization of the school."

257

**SECTION 5.**

258

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