Senate Bill 410
By: Senators Williams of the 19th, Mullis of the 53rd, Rogers of the 21st, Jeffares of the 17th, Heath of the 31st and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

To amend Part 3 of Article 2 of Chapter 14 of Title 20 of the Official Code of Georgia Annotated, relating to an accountability assessment for K-12 education, so as to provide for annual indicators of the quality of learning by students, financial efficiency, and school climate for individual schools and for school systems; to provide for individual school and school system numerical score ratings based on student achievement, achievement gap closure, and student progress; to revise provisions relating to awards and interventions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"20-14-33. (a) The office, in coordination with the Department of Education, shall adopt and biennially annually review, and revise as necessary, indicators of the quality of learning by students, financial efficiency, and school climate for individual schools and for school systems in an individual school and school system.
(b) The performance indicators of student achievement and school performance must be based on information that is disaggregated with respect to quality of learning shall be based on data that include student achievement, achievement gap closure, and student progress. The performance indicators of quality of learning shall include all students regardless of ethnicity, sex, disability, language proficiency, and socioeconomic status and must include shall be disaggregated by all subgroups as required under the federal Elementary and Secondary Education Act, as amended:"

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(1) The results of assessment instruments required under Code Section 20-2-281, aggregated by grade level and subject area;
(2) Dropout rates for each school;
(3) Student attendance rates for each school;
(4) School completion rates for each school;
(5) The percentage of graduating students who attain scores on the Georgia high school graduation test required under Code Section 20-2-281 that are equivalent to a passing score on the test instrument until such time as the Georgia high school graduation test is discontinued as provided in Code Section 20-2-281;
(6) The percentage of graduating students who meet the course requirements established for the recommended high school program by State Board of Education rule;
(7) The percentage of students taking end-of-course assessment instruments under Code Section 20-2-281;
(8) The percentage of high school students who pass the end-of-course assessment instrument in core subjects;
(9) The results of the Scholastic Assessment Test or the ACT Assessment;
(10) The percentage of students taking alternate assessments under subsection (d) of Code Section 20-2-281;
(11) The average time that a student placed in an early intervention program remains before attaining grade level status and returning to regular status; and
(12) Any other indicator the office adopts.

(c) Performance on the indicators of quality of learning, financial efficiency, school climate, and any other indicators the office adopts shall be compared to state standards, progress on improved student achievement, and comparable performance. The standards for comparison shall be established by the office as provided in Code Section 20-14-31, in coordination with the Department of Education. Data and information regarding the standards shall be included in the annual report provided for in paragraph (2) of subsection (a) of Code Section 20-14-27. Financial efficiency may include an analysis of how federal and state funds spent by local school systems impact student achievement and school improvement, and components used to determine financial efficiency may include actual achievement, resource efficiency, and student participation in standardized testing. School climate determinations may utilize data from student health surveys, data on environmental and behavior indicators, data on student behavioral and school-based reactions, and teacher and parent survey instruments. Financial efficiency and school climate shall have one of the following star ratings based upon the factors included in this subsection, as further defined by rules and regulations of the office:
(1) '5-star' schools ranked excellent according to the state determined financial efficiency or school climate index, as appropriate;
(2) '4-star' schools ranked above average according to the state determined financial efficiency or school climate index, as appropriate;
(3) '3-star' schools ranked average according to the state determined financial efficiency or school climate index, as appropriate;
(4) '2-star' schools ranked below satisfactory according to the state determined financial efficiency or school climate index, as appropriate; or
(5) '1-star' schools ranked unsatisfactory according to the state determined financial efficiency or school climate index, as appropriate.

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

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

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

(g) The office shall develop and the State Board of Education shall adopt a uniform definition of a 'below grade level' student for purposes of placing students in the early intervention program under Code Section 20-2-153 and for purposes of tracking these...
students for accountability purposes. Data and information regarding the establishment of
the definition shall be included in the annual report provided for in paragraph (2) of
subsection (a) of Code Section 20-14-27.

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

SECTION 2.

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

20-14-34. (a) Each school year, the office shall prepare and distribute to each school system in the
State of Georgia a report card for each school in the school system and for the school
system in the State of Georgia. The school report cards must include performance
data on quality of learning, financial efficiency, and school climate as calculated pursuant
to Code Section 20-14-33 and based on the most current data available disaggregated by
student groups. School performance must be compared to:

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

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

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

(1) The individual school and school system ratings in a numerical format as provided
for in subsection (d) of Code Section 20-14-33;
(2) The academic excellence indicators in subsection (b) of Code Section 20-14-33;
(3) Teacher-student ratios; and
(4) Administrative and instructional costs per student and other financial accounting
information as may be required:

(2) A financial efficiency rating for each school and school system;
(3) A school climate rating for each school and school system;
(4) An explanation of the criteria that informs the school and school system rating; and
(5) An explanation of the criteria that informs the financial efficiency and school climate
ratings.

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(c) Each school year, the office shall prepare and distribute a state-wide report card, aggregated by school systems and disaggregated by student groups, reporting on the student performance and school completion results of each school and each school system in the state and a rating for each school and each school system as provided for in subsection (d) of Code Section 20-14-33 and subsection (a) of this Code section.

(d) The State Board of Education shall adopt rules requiring dissemination of appropriate student performance and school completion performance portions of school and school system report cards annually to the parent, guardian, conservator, or other person having lawful control of each student at the school. On written request, the local school system shall provide a copy of a school or school system report card to any other party. These reports report cards shall be posted on the Office of Student Achievement website, the Department of Education website, and the existing website of such local school system."

SECTION 3.

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

"20-14-38.

(a) Financial awards may be provided to the schools that the director determines have demonstrated the greatest improvement in achieving the education goals of improved student achievement and improved school completion achievement gap closure, subject to appropriation by the General Assembly and any limitation set by the director on the total amount that may be awarded to a school or local school system.

(b) Financial awards may be provided to each school that is identified by the director for performance on either or both excellence in student achievement and or student progress on student achievement. The certificated personnel in a school that is identified by the director as either a best performing school or better performing school in either or both categories may be provided a bonus for the year the school was identified of $1,000.00 for each best performing school designation and $500.00 for each better performing school designation. The maximum individual annual bonus for certificated personnel shall not exceed $2,000.00 and shall be provided subject to appropriation by the General Assembly or as otherwise may be provided. An additional financial award may be provided to each school for noncertificated personnel in the amount of $10,000.00 for each designation of best performing school and $5,000.00 for each designation of better performing school, provided that the total lump sum noncertificated personnel award for an individual school shall not exceed $20,000.00; provided, further, that funds for this purpose are appropriated by the General Assembly or as otherwise may be provided. The
school receiving this noncertificated personnel award shall determine the distribution of
the award among such personnel of its school.
(c) The Governor may present proclamations or certificates to schools and school systems
determined to have met or exceeded the state's education goals under Code Section
20-14-30."

SECTION 4.

Said part is further amended in Code Section 20-14-41, relating to appropriate levels of
intervention for failing schools, by revising subsection (a) as follows:
"(a) The State Board of Education shall by policies, rules, or regulations establish a
coherent and sustained system of assistance and support for schools not meeting identified
levels of achievement or not showing specified levels of progress as determined by the
office. The State Board of Education shall by policies, rules, or regulations specify
appropriate levels of assistance and intervention for schools that receive an unacceptable
erating on student performance for the absolute student achievement standard or on progress
on improved student achievement, achievement gap closure, or student progress, or any
combination thereof. In specifying levels of assistance and intervention, the State Board
of Education shall consider the number of years a school has received an unacceptable
rating and may include one or more of the following interventions:
(1) Issuing public notice of the deficiency to the local board of education;
(2) Ordering a hearing to be conducted at the school by the local board of education with
the participation of the school council for the purpose of notifying the public of the
unacceptable performance, the improvements in performance expected by the office, and
the interventions that may be imposed under this Code section if the performance does
not improve within a designated period of time and of soliciting public comment on the
initial steps being taken to improve performance;
(3) Ordering the preparation of an intensive student achievement improvement plan that
addresses each academic excellence indicator for which the school's performance is
unacceptable, the submission of the plan to the State Board of Education for approval,
and implementation of the plan;
(4) Appointing a Department of Education school improvement team to:
(A) Conduct a comprehensive on-site evaluation of each low-performing school to
determine the cause for the school's low performance and lack of progress that includes
presentations by the chairperson of the local board of education, the school principal,
a parent member of the local school council, and other school personnel;
(B) Recommend actions, including reallocation of resources and technical assistance,
changes in school procedures or operations, professional learning focused on student
achievement for instructional and administrative staff, intervention for individual
administrators or teachers, instructional strategies based on scientifically based
research, waivers from state statutes or rules, adoption of policies and practices to
ensure all groups of students meet the state's proficiency level, extended instruction
time for low-performing students, strategies for parental involvement, incorporation of
a teacher mentoring program, smaller class size for low-performing students, or other
actions the team considers appropriate;
(C) Assist in the development of an intensive school improvement plan focused on
student achievement required by paragraph (3) of this subsection; and
(D) Monitor the progress of the school in implementing the intensive school
improvement plan focused on student achievement;
(5) If a school has received an unacceptable rating for a period of two consecutive years
or more, appointing a school master or management team to oversee and direct the duties
of the principal of the school in relation to the school until school performance improves
and the school is released from intervention by the director, with the cost of the master
or management team to be paid by the state; or
(6) If a school has received an unacceptable rating for a period of three consecutive years
or more, the State Board of Education shall, subject to the provisions of subsection (f) of
this Code section, implement one or more of the following interventions or sanctions:
(A) Removal of school personnel on recommendation of the master or the school
improvement team, including the principal and personnel whose performance has
continued not to produce student achievement gains over a three-year period as a
condition for continued receipt of state funds for administration;
(B) Allow for the implementation of a state charter school through the designation by
the State Board of Education;
(C) Mandate the complete reconstitution of the school, removing all personnel,
appointing a new principal, and hiring all new staff. Existing staff may reapply for
employment at the newly reconstituted school but shall not be rehired if their
performance regarding student achievement has been negative for the past three years;
(D) Mandate that the parents have the option to relocate the student to other public
schools in the local school system to be chosen by the parents of the student from a list
of available options provided by the local school system. The local school system shall
provide transportation for students in Title I schools in accordance with the
requirements of federal law. The local school system may provide transportation for
students in non-Title I schools. In any year in which the General Assembly does not
appropriate funds for the provision of transportation to non-Title I students, the parent
or guardian shall assume responsibility for the transportation of that student;
(E) Mandate a monitor, master, or management team in the school that shall be paid
by the district;
(F) Continue the intensive student achievement improvement plan provided for in
paragraph (3) of this subsection; or
(G) Mandate a complete restructuring of the school's governance arrangement and
internal organization of the school."

SECTION 5.
All laws and parts of laws in conflict with this Act are repealed.