

House Bill 406

By: Representative Parsons of the 44<sup>th</sup>

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 age-appropriate sexual  
3 abuse and assault awareness and prevention education in kindergarten through grade 12; to  
4 provide that professional learning and in-service training may include programs on sexual  
5 abuse and assault awareness and prevention; to provide for related matters; to repeal  
6 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 Code Section 20-2-143, relating to  
11 sex education and AIDS prevention instruction, as follows:

12 "20-2-143.

13 (a) Each local board of education shall prescribe a course of study in sex education and  
14 AIDS prevention instruction for such grades and grade levels in the public school system  
15 as shall be determined by the State Board of Education. Such course of study shall  
16 implement either the minimum course of study provided for in subsection (b) of this Code  
17 section or its equivalent, as approved by the State Board of Education. Each local board  
18 of education shall be authorized to supplement and develop the exact approach of content  
19 areas of such minimum course of study with such specific curriculum standards as it may  
20 deem appropriate. Such standards shall include instruction relating to the handling of peer  
21 pressure, the promotion of high self-esteem, local community values, the legal  
22 consequences of parenthood, and abstinence from sexual activity as an effective method  
23 of prevention of pregnancy, sexually transmitted diseases, and acquired immune deficiency  
24 syndrome.

25 (b) The State Board of Education shall prescribe a minimum course of study in sex  
26 education and AIDS prevention instruction which may be included as a part of a course of

27 study in comprehensive health education for such grades and grade levels in the public  
 28 school system as shall be determined by the state board and shall establish standards for  
 29 its administration. The course may include instruction concerning human biology,  
 30 conception, pregnancy, birth, sexually transmitted diseases, and acquired immune  
 31 deficiency syndrome. The course shall include instruction concerning the legal  
 32 consequences of parenthood, including, without being limited to, the legal obligation of  
 33 both parents to support a child and legal penalties or restrictions upon failure to support a  
 34 child, including, without being limited to, the possible suspension or revocation of a  
 35 parent's driver's license and occupational or professional licenses. The course also shall  
 36 include age-appropriate sexual abuse and assault awareness and prevention education in  
 37 kindergarten through grade 12. A manual setting out the details of such course of study  
 38 shall be prepared by or approved by the State School Superintendent in cooperation with  
 39 the Department of Public Health, the State Board of Education, and such expert advisers  
 40 as they may choose.

41 (c) The minimum course of study to be prescribed by the State Board of Education  
 42 pursuant to subsection (b) of this Code section shall be ready for implementation not later  
 43 than July 1, 1988. Each local board shall implement either such minimum course of study  
 44 or its equivalent not later than July 1, 1989. Any local board of education which fails to  
 45 comply with this subsection shall not be eligible to receive any state funding under this  
 46 article until such minimum course of study or its equivalent has been implemented.

47 (d) Any parent or legal guardian of a child to whom the course of study set forth in this  
 48 Code section is to be taught shall have the right to elect, in writing, that such child not  
 49 receive such course of study."

## 50 SECTION 2.

51 Said article is further amended in Code Section 20-2-200, relating to the regulation of  
 52 certificated professional personnel by the Professional Standards Commission, by revising  
 53 paragraph (4) of subsection (b) as follows:

54 "(4) Requirements for certification renewal shall be established to foster ongoing  
 55 professional learning, enhance student achievement, and verify standards of ethical  
 56 conduct; provided, however, that from July 1, 2010, through July 1, 2015, no professional  
 57 learning requirements shall be required for certificate renewal for clear renewable  
 58 certificates for certificated personnel or for certificate renewal for paraprofessionals.  
 59 Such requirements may include, but are not limited to, professional learning related to  
 60 school improvement plans or the applicant's field of certification and background checks.  
 61 Such requirements also may include participating in or presenting at in-service training  
 62 programs on sexual abuse and assault awareness and prevention. Should the Professional

63 Standards Commission include a requirement to demonstrate computer skill competency,  
 64 the rules and regulations shall provide that a certificated educator may elect to meet the  
 65 requirement by receiving satisfactory results on a test in basic computer skill competency.  
 66 If a certificated educator elects to take such test pursuant to this paragraph, the local  
 67 school system by which such educator is employed shall make available the opportunity  
 68 to take the test on site at the school in which the educator is assigned. Each principal  
 69 shall identify an administrator on site at each school to serve as a proctor for individuals  
 70 taking the test pursuant to this paragraph. Individuals holding a valid Georgia life  
 71 certificate or a valid National Board for Professional Teaching Standards certificate shall  
 72 be deemed to have met state renewal requirements except those related to background  
 73 checks."

74 **SECTION 3.**

75 Said article is further amended in Code Section 20-2-201, relating to specific course  
 76 requirements, in-service or continuing education, and online offerings, by revising subsection  
 77 (b) as follows:

78 "(b) Each local unit of administration shall be required to provide all professional  
 79 personnel certificated by the Professional Standards Commission 12 clock hours of  
 80 in-service or continuing education in each calendar year, or meet requirements of the  
 81 Southern Association of Colleges and Schools. Such in-service programs shall be  
 82 developed by the local unit of administration in conjunction with such agencies as regional  
 83 educational service agencies, colleges and universities, and other appropriate organizations.  
 84 These programs shall be designed to address identified needs determined by appropriate  
 85 personnel evaluation instruments. These programs shall also focus on improving the skills  
 86 of certificated personnel that directly relate to improving student achievement, as reflected  
 87 in the revised certification renewal rules established by the Professional Standards  
 88 Commission pursuant to paragraph (4.1) of subsection (b) of Code Section 20-2-200  
 89 regarding the impact of professional learning on student achievement. These programs also  
 90 may include in-service training programs on sexual abuse and assault awareness and  
 91 prevention. Records of attendance shall be maintained by local units of administration and  
 92 shall be monitored by appropriate Department of Education staff."

93 **SECTION 4.**

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