

House Bill 338 (AS PASSED HOUSE AND SENATE)

By: Representatives Tanner of the 9<sup>th</sup>, Coleman of the 97<sup>th</sup>, Jones of the 47<sup>th</sup>, Burns of the 159<sup>th</sup>, Coomer of the 14<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to  
2 provide for a system of supports and assistance for the lowest-performing schools identified  
3 as in the greatest need of assistance; to provide for a Chief Turnaround Officer; to provide  
4 for turnaround coaches; to provide for consultation with the State School Superintendent; to  
5 provide for a definition for "turnaround eligible schools"; to provide for the identification of  
6 the schools in the greatest need of assistance; to provide for contract amendments and  
7 interventions; to provide for third-party specialists; to provide for a comprehensive on-site  
8 evaluation and recommendations; to provide for the development of an intensive school  
9 improvement plan; to provide for supports for low-performing students; to provide for grants  
10 by the Office of Student Achievement; to provide for implementation of an intensive school  
11 improvement plan; to provide for interventions if the school does not improve; to provide for  
12 an Education Turnaround Advisory Council; to provide for biannual reports; to provide for  
13 the creation of the Joint Study Committee on the Establishment of a State Accreditation  
14 Process; to provide for its membership and duties; to provide for the creation of the Joint  
15 Study Committee on the Establishment of a Leadership Academy; to provide for its  
16 membership and duties; to provide for removal of members of a local board of education if  
17 one-half or more of the schools in the local school system are turnaround eligible schools for  
18 five or more consecutive years; to provide for temporary replacement members; to provide  
19 for petitions for reinstatement; to provide for a hearing; to revise provisions relating to  
20 contracts for strategic waivers school systems; to revise provisions relating to charters for  
21 charter systems; to provide for annual reports; to provide for a short title; to provide for  
22 related matters; to repeal conflicting laws; and for other purposes.

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

24 **PART I**

25 **SECTION 1-1.**

26 This Act shall be known and may be cited as the "First Priority Act – Helping Turnaround  
27 Schools Put Students First."

28 **PART II**

29 **SECTION 2-1.**

30 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by  
31 adding a new part to Article 2 of Chapter 14, relating to education accountability assessment  
32 programs, to read as follows:

33 "Part 3A

34 20-14-43.

35 (a) There is created the position of Chief Turnaround Officer. The State Board of  
36 Education, after consulting with the State School Superintendent and the Education  
37 Turnaround Advisory Council and conducting a national search, shall appoint the Chief  
38 Turnaround Officer who shall serve at the pleasure of the state board. The Chief  
39 Turnaround Officer shall be an employee of the Department of Education but shall report  
40 directly to the state board.

41 (b) The Chief Turnaround Officer shall have the following qualifications:

42 (1) Extensive personal experience in turning around low-performing schools, including  
43 expertise in turnaround strategies, curriculum, instruction, and teacher and principal  
44 effectiveness;

45 (2) Has held the position of at least principal or a higher administrative position in a  
46 public school system for a minimum of five years with demonstrated skills in school  
47 management, budget, finance, federal and state programs, funding sources, and talent  
48 management; and

49 (3) Such additional education, experience, and other qualifications as determined by the  
50 State Board of Education.

51 (c) The duties of the Chief Turnaround Officer shall include, but are not limited to:

52 (1) Managing and overseeing a system of supports and assistance for the  
53 lowest-performing schools in this state identified as in the greatest need of assistance;

54 (2) Identifying resources, including the establishment of a resource list of evidence based  
55 strategies and integrated student services, and consulting with regional educational

56 service agencies to determine specific expertise and resources available at each such  
 57 regional educational service agency directly relating to school turnaround;

58 (3) Annually establishing a list of third-party specialists, including auditors and  
 59 consultants, to assist schools and local school systems in conducting comprehensive  
 60 on-site evaluations of schools to determine the root causes of low performance and lack  
 61 of progress, to assist schools and local school systems in the implementation of intensive  
 62 school improvement plans, or to provide any of the necessary support services as  
 63 specified in the engagement letter or contract. Such list of third-party specialists shall be  
 64 established through a request for proposals process and approved by the State Board of  
 65 Education. Such request for proposals shall be designed with input from the Education  
 66 Turnaround Advisory Council;

67 (4) Coordinating with the school improvement division within the Department of  
 68 Education and coordinating and working with the State School Superintendent and the  
 69 Office of Student Achievement to identify all state resources and supports available to  
 70 the lowest-performing schools in the greatest need of assistance;

71 (5) Identifying turnaround coaches pursuant to Code Section 20-14-44 to serve as the  
 72 assigned state site liaison in the school improvement process;

73 (6) Building school level leadership capabilities in cooperation with agencies and  
 74 organizations that have experience and capacity and providing leadership development  
 75 opportunities for principals and other school level leaders in turnaround eligible schools  
 76 selected by the Chief Turnaround Officer; and

77 (7) Identifying best practices for school turnaround, including identifying those practices  
 78 that are not successful in improving student outcomes, and sharing such information with  
 79 local school systems and schools in this state.

80 (d) The Chief Turnaround Officer, the State School Superintendent, and the staff and all  
 81 divisions of the Department of Education shall work collaboratively and shall coordinate  
 82 as necessary to facilitate the implementation of this part. The Department of Education  
 83 shall establish the state plan pursuant to the federal Every Student Succeeds Act in a  
 84 manner that pursues and allows maximum flexibility to implement the provisions of this  
 85 part.

86 20-14-44.

87 (a) The Chief Turnaround Officer, after consulting with the State School Superintendent,  
 88 shall recommend individuals experienced in turning around schools that have similar needs  
 89 and characteristics as those schools identified pursuant to Code Section 20-14-45, to serve  
 90 as turnaround coaches, subject to approval by the state board.

91 (b) Turnaround coaches shall assist schools that are identified as in the greatest need of  
 92 assistance pursuant to Code Section 20-14-45 with ongoing assistance and input and shall  
 93 serve as contract managers to ensure conformance to contract terms. Turnaround coaches  
 94 shall be assigned to one or more schools which are under a contract amendment or  
 95 intervention contract pursuant to Code Section 20-14-45.

96 (c) Turnaround coaches may provide such other services and supports as determined by  
 97 the Chief Turnaround Officer.

98 20-14-45.

99 (a) As used in this Code section, the term 'turnaround eligible schools' means the schools  
 100 that have performed in the lowest 5 percent of schools in this state identified in accordance  
 101 with the statewide accountability system established in the state plan pursuant to the federal  
 102 Every Student Succeeds Act.

103 (b) The Chief Turnaround Officer, in conjunction with the Department of Education and  
 104 the Office of Student Achievement, shall annually identify the lowest-performing schools  
 105 that are deemed to be in the greatest need of assistance based on a list of turnaround  
 106 eligible schools prepared annually by the Office of Student Achievement. If the Chief  
 107 Turnaround Officer, after consulting with Department of Education staff and the State  
 108 School Superintendent, determines that the capacity and resources available to the Chief  
 109 Turnaround Officer and to the Department of Education are insufficient to serve all schools  
 110 on the turnaround eligible schools list, the Chief Turnaround Officer may select a subset  
 111 of such schools based on the following factors:

112 (1) Whether the school's rating has been improving or declining over the previous three  
 113 years, based on the statewide accountability system;

114 (2) Whether the contract for strategic waivers school systems or the charter for charter  
 115 systems adequately addresses the school's deficiencies;

116 (3) Whether the school is in a local school system with a recent accreditation report  
 117 showing deficiencies in system level governance, school level leadership, system and  
 118 school level resource utilization, or school level achievement, including the areas of  
 119 reading and mathematics proficiencies;

120 (4) Whether the school is located in a local school system in which one-half or more of  
 121 the schools are on the turnaround eligible schools list for the fifth or more consecutive  
 122 year;

123 (5) Whether the school is in close proximity to a school that will be served pursuant to  
 124 paragraphs (1), (2), (3), or (4) of this subsection; and

125 (6) Any other factors deemed appropriate by the Chief Turnaround Officer.

126 (c) The Chief Turnaround Officer shall extend an opportunity to the local boards of  
127 education for each school identified pursuant to subsection (b) of this Code section to  
128 amend the contract entered into pursuant to Code Section 20-2-83 for strategic waivers  
129 school systems or to amend the charter, for charter systems. The amendment shall be for  
130 the purposes of agreeing to receive assistance pursuant to this part for such identified  
131 school or schools. For any such local board of education that is offered the opportunity to  
132 amend its system contract or charter but that does not sign an amendment within 60 days  
133 of being offered the amendment or that declines to sign an amendment, the State Board of  
134 Education shall within 60 days either implement one or more of the interventions contained  
135 in paragraph (6) of subsection (a) of Code Section 20-14-41 for such school or terminate  
136 the system contract or charter as allowed by the terms of such contract or charter.

137 (d) For any local school system that is not a charter system or a strategic waivers system,  
138 the Chief Turnaround Officer shall extend an opportunity to the local board of education  
139 for each school identified pursuant to subsection (b) of this Code section to enter into an  
140 intervention contract for the purposes of agreeing to receive assistance pursuant to Code  
141 Section 20-14-46 for such identified school or schools. For any such local board of  
142 education that is offered the opportunity to enter into an intervention contract but that  
143 declines, the State Board of Education shall immediately implement one or more of the  
144 interventions contained in paragraph (6) of subsection (a) of Code Section 20-14-41 for  
145 such school.

146 (e) For any school on the turnaround eligible school list which is not selected as part of the  
147 subset of schools to be assisted by the Chief Turnaround Officer due to insufficient  
148 capacity and resources, the Department of Education, through its school improvement  
149 division, shall begin or continue focused supports and a pre-diagnostic review utilizing all  
150 relevant data held at the state level as it relates to the local school system and school,  
151 including financial audits, funding allotments, federal funds, state assessment data, and the  
152 most recent local school system accreditation report regarding system level governance and  
153 leadership, resource utilization, teaching and learning effectiveness, and academic  
154 achievement.

155 20-14-46.

156 (a) Within 30 days of entering into a contract amendment or intervention contract between  
157 the State Board of Education and a local board of education pursuant to Code Section  
158 20-14-45, the local board of education shall, in consultation with the turnaround coach,  
159 select a third-party specialist to conduct a comprehensive on-site diagnostic review in  
160 cooperation with the regional educational service agency and the turnaround coach of the  
161 school to determine the root causes of low performance and lack of progress. Such

162 third-party specialist may be selected from the approved list established pursuant to  
163 paragraph (2) of subsection (c) of Code Section 20-14-43 at the expense of the state, or the  
164 local board of education may select its own third-party specialist, upon approval by the  
165 Chief Turnaround Officer, at the expense of the local school system. The turnaround coach  
166 shall ensure that the third-party specialist receives all relevant data held at the state level  
167 as it relates to the local school system and school, including the system charter or contract,  
168 financial audits, funding allotments, federal funds, state assessment data, and any other  
169 relevant information as it relates to school performance. The third-party specialist shall  
170 also review the most recent local school system accreditation report regarding system level  
171 governance and leadership, resource utilization, teaching and learning effectiveness, and  
172 academic achievement.

173 (b) Within 90 days of entering into a contract amendment or intervention contract between  
174 the State Board of Education and a local board of education, the turnaround coach, in  
175 partnership with the regional educational service agency, shall ensure that the local board  
176 of education and the third-party specialist have completed a comprehensive on-site  
177 evaluation of the school to determine the root causes of the school's low performance and  
178 lack of progress. The comprehensive on-site diagnostic review shall include a leadership  
179 assessment to determine the capacity of the school leader to lead the turnaround efforts, as  
180 well as a review of system level support and interventions, including central office policies  
181 and supports, technical assistance and guidance, financial management, and appropriate use  
182 of resources in accordance with approved waivers under the system charter or contract.

183 (c) Based on the comprehensive on-site evaluation, the turnaround coach, in partnership  
184 with the regional educational service agency, shall recommend actions, which may include,  
185 but not be limited to, reallocation of resources and technical assistance, changes in school  
186 procedures or operations, professional learning focused on student achievement for  
187 instructional and administrative staff, intervention for individual administrators or teachers,  
188 instructional strategies based on scientifically based research, additional waivers from state  
189 statutes or rules, adoption of policies and practices to ensure all groups of students meet the  
190 state's proficiency level, extended instruction time for low-performing students, strategies  
191 for parental involvement, incorporation of a teacher mentoring program, smaller class size  
192 for low-performing students, or other actions deemed appropriate.

193 (d) Based on the evaluation and recommendations and after public input from parents and  
194 the community, the school shall develop an intensive school improvement plan, approved  
195 by the Chief Turnaround Officer, that specifically addresses the academic insufficiencies  
196 identified by the school's rating in the single state-wide accountability system. The local  
197 board of education shall not be eligible for supplemental funding to support the  
198 implementation of the plan unless such local board demonstrates financial need based on

199 its most current annual budget and the results of the most recent audit. The local board of  
200 education shall coordinate the hiring and contract renewal process for personnel and the  
201 allocation of school resources to support such plan. In developing the timelines in the  
202 intensive school improvement plan, the school shall take into consideration the budget  
203 cycles, employment contract deadlines, and other appropriate factors relating to the  
204 planning process. The school, with the support of the local board of education, local school  
205 superintendent, and principal, shall implement the plan with ongoing input and assistance  
206 from the Chief Turnaround Officer and performance monitoring by the turnaround coach.

207 20-14-47.

208 (a) Within the first 60 instructional days of the school year of a contract amendment or  
209 intervention contract pursuant to Code Section 20-14-45, turnaround coaches shall  
210 coordinate with each school to conduct individual assessments of those students who have  
211 been identified as low-performing and shall coordinate with schools to provide the  
212 following interventions, as agreed to by the turnaround coach and the school and based on  
213 available funding and resources, including the reallocation of existing resources and grant  
214 funding, if available, pursuant to subsection (c) of Code Section 20-14-48:

215 (1) Screen all students to diagnose the factors for low performance, including, but not  
216 limited to, reading development and comprehension, math proficiencies, physical health,  
217 mental health, access to the Internet or other ancillary supports to out-of-school learning  
218 activities expected of students and evaluate all available records to address nonacademic  
219 barriers to learning in the lowest-performing schools; and

220 (2) Provide students who have been identified as low-performing with academic support  
221 and enrichment activities, access to programs to promote parental involvement, access  
222 to supports for addressing and improving mental and physical health, access to a learning  
223 resource center for students and guardians to strengthen academic supports, positive  
224 behavioral interventions and supports, and access to expert supports, which may include,  
225 but not be limited to, data scientists, psychometric personnel, curriculum specialists,  
226 learning theorists, and special educators to help advise the schools on technical learning  
227 matters.

228 (b) Turnaround coaches shall assist local boards of education in identifying integrated  
229 student services utilizing the list of resources established by the Chief Turnaround Officer  
230 pursuant to paragraph (2) of subsection (c) of Code Section 20-14-43. Local boards of  
231 education, in coordination with the turnaround coaches and the local school administration,  
232 shall create local collaborations to address personal and community conditions, which shall  
233 include the needs, issues, and problems within the communities of such school or schools,  
234 such as poverty, lack of economic development, safety, transportation options for parents

235 and students, adult educational opportunities, wellness, and mental health services, and  
 236 shall, in consultation with the turnaround coach, identify state and community resources  
 237 that are available or that could be built upon, reallocated, or repurposed to address the  
 238 issues impacting such school or schools.

239 20-14-48.

240 (a) The State Board of Education shall ensure that all necessary department resources and  
 241 supports are made available for full implementation of this part, including, but not limited  
 242 to, the implementation of the intensive school improvement plans established pursuant to  
 243 Code Section 20-14-46 for schools for which a local board of education has entered into  
 244 a contract amendment or intervention contract with the State Board of Education pursuant  
 245 to Code Section 20-14-45. Further, the State Board of Education shall ensure that such  
 246 schools receive priority for the receipt of federal and state funds available to the  
 247 Department of Education to the fullest extent possible under federal and state law,  
 248 including, but not limited to, federal school improvement grants and Title I funds. The  
 249 State Board of Education shall also pursue maximum flexibility in applying for and  
 250 expending federal funds, including, but not limited to, the consolidation of all federal, state,  
 251 and local funds in compliance with federal law.

252 (b) The Office of Student Achievement shall give priority to schools for which a local  
 253 board of education has entered into a contract amendment or intervention contract with the  
 254 State Board of Education pursuant to Code Section 20-14-45 when awarding grants  
 255 pursuant to subsection (b.1) of Code Section 20-14-26.1 or any other grants administered  
 256 by the office.

257 (c)(1) The Office of Student Achievement shall be authorized to provide for grants,  
 258 subject to appropriations, to assist schools in local school systems under a contract  
 259 amendment or intervention contract pursuant to Code Section 20-14-45 with  
 260 demonstrated financial need in:

261 (A) Retaining the services of a third-party specialist to assist in the implementation of  
 262 an intensive school improvement plan developed pursuant to Code Section 20-14-46  
 263 or to provide any other support services deemed necessary pursuant to such plan;

264 (B) Assessing low-performing students and obtaining specified supports for such  
 265 students as delineated in subsection (a) of Code Section 20-14-47; or

266 (C) Both subparagraph (A) and subparagraph (B) of this paragraph.

267 (2) A school under a contract amendment or intervention contract pursuant to Code  
 268 Section 20-14-45 with a demonstrated financial need may, upon consultation with the  
 269 turnaround coach for the school, request grant funds pursuant to this subsection. Upon  
 270 approval by the Chief Turnaround Officer, the grant request may be submitted to the

271 Office of Student Achievement. The award of any grant funds shall be at the discretion  
272 of the Office of Student Achievement, including the amount of any such grant funds  
273 awarded. The Office of Student Achievement shall prescribe criteria, policies, and  
274 standards deemed necessary for the effective implementation of this subsection, including  
275 criteria for a local school system to demonstrate financial need.

276 20-14-49.

277 (a) If after three school years of implementing the intensive school improvement plan  
278 developed pursuant to Code Section 20-14-46, the school is not improving, as determined  
279 by the Chief Turnaround Officer based on the terms of the amended contract, amended  
280 charter, or the intervention contract and on other applicable factors, the Chief Turnaround  
281 Officer shall require that one or more of the following interventions be implemented at the  
282 school, unless the school is in substantial compliance with the implementation of the  
283 intensive school improvement plan and has exhibited ongoing cooperation and  
284 collaboration:

285 (1) Continued implementation of the intensive school improvement plan developed  
286 pursuant to Code Section 20-14-46;

287 (2) Removal of school personnel, which may include the principal and personnel whose  
288 performance has been determined to be insufficient to produce student achievement  
289 gains;

290 (3) Implementation of a state charter school or a special school, as defined in Code  
291 Section 20-2-2062;

292 (4) Complete reconstitution of the school, removing all personnel, appointing a new  
293 principal, and hiring all new staff. Existing staff may reapply for employment at the  
294 newly reconstituted school but shall not be rehired if their performance regarding student  
295 achievement has been negative for the past four years;

296 (5) Operation of the school by a private nonprofit third-party operator selected and  
297 contracted by the local board of education;

298 (6) Mandatory parental option to relocate the student to another public school in the local  
299 school system that does not have an unacceptable rating, to be chosen by the parents of  
300 the student from a list of available options provided by the local school system. The local  
301 school system shall provide transportation for students in Title I schools in accordance  
302 with the requirements of federal law. The local school system may provide transportation  
303 for students in non-Title I schools. In any year in which the General Assembly does not  
304 appropriate funds for the provision of transportation to non-Title I students, the parent or  
305 guardian shall assume responsibility for the transportation of that student;

306 (7) Complete restructuring of the school's governance arrangement and internal  
 307 organization of the school;

308 (8) Operation of the school by a successful school system and pursuant to funding  
 309 criteria established by the State Board of Education; or

310 (9) Any other interventions or requirements deemed appropriate by the Chief Turnaround  
 311 Officer and the State Board of Education for the school and in accordance with the  
 312 amended contract, amended charter, or intervention contract, except that operation of the  
 313 school by a for profit entity shall be prohibited.

314 (b) Before the implementation of any interventions required by the Chief Turnaround  
 315 Officer pursuant to subsection (a) of this Code section for a school, the local board of  
 316 education may request an opportunity for a hearing before the State Board of Education to  
 317 show cause as to why an intervention or interventions imposed by the Chief Turnaround  
 318 Officer for a school should not be required or that alternative interventions would be more  
 319 appropriate. Such request shall be made no later than 30 days after notification by the  
 320 Chief Turnaround Officer of the intended interventions. The State Board of Education  
 321 shall take into consideration the substantial compliance of the school in the implementation  
 322 of the intensive school improvement plan and the ongoing cooperation and collaboration  
 323 exhibited by the school. The State Board of Education shall make a determination on any  
 324 such request no later than 60 days after receipt of such request. The determination of the  
 325 State Board of Education shall be the final decision.

326 20-14-49.1.

327 (a) There is created the Education Turnaround Advisory Council which shall report to the  
 328 State Board of Education. The Education Turnaround Advisory Council shall be composed  
 329 of:

330 (1) The executive director of the Georgia School Boards Association or his or her  
 331 designee;

332 (2) The executive director of the Georgia School Superintendents Association or his or  
 333 her designee;

334 (3) The executive director of the Professional Association of Georgia Educators or his  
 335 or her designee;

336 (4) The executive director of the Georgia Association of Educators or his or her  
 337 designee;

338 (5) The executive director of the Georgia Association of Educational Leaders or his or  
 339 her designee;

340 (6) The president of the Georgia Parent Teacher Association;

341 (7) The executive director of Educators First or his or her designee; and

342 (8) Education leaders representing local school superintendents, local boards of  
 343 education, teachers, business leaders, or other appropriate individuals with interest in  
 344 public education appointed as follows:

345 (A) Two education leaders appointed by the Lieutenant Governor; and

346 (B) Two education leaders appointed by the Speaker of the House of Representatives.

347 (b) The chairperson of the State Board of Education shall cause the council to be convened  
 348 no later than 30 days after the last appointment is made to the council. The council shall  
 349 select a chairperson from among its membership.

350 (c) The Education Turnaround Advisory Council shall be authorized to:

351 (1) Submit to the State Board of Education names of potential candidates for the position  
 352 of Chief Turnaround Officer and for turnaround coaches;

353 (2) Recommend school turnaround resources and potential turnaround experts to be  
 354 added to resource lists;

355 (3) Provide advisement on the development of state-wide assessment tools;

356 (4) Provide advisement to the State School Superintendent and Chief Turnaround  
 357 Officer, as necessary;

358 (5) Provide recommendations and input on the request for proposals process conducted  
 359 pursuant to paragraph (3) of subsection (c) of Code Section 20-14-43 to establish a list  
 360 of approved third-party specialists that may be retained to assist in the evaluation of  
 361 schools; and

362 (6) Perform such other duties as assigned by the State Board of Education.

363 (d) The Education Turnaround Advisory Council shall have no authority and shall only be  
 364 advisory in nature.

365 20-14-49.2.

366 (a) The Chief Turnaround Officer shall prepare a written biannual update on the status of  
 367 each school that is under a contract amendment or intervention contract pursuant to Code  
 368 Section 20-14-45. The Chief Turnaround Officer shall provide such biannual reports no  
 369 later than February 1 and August 1 of each year to the chairpersons of the House  
 370 Committee on Education and the Senate Education and Youth Committee and to the  
 371 Education Turnaround Advisory Committee. The report due no later than February 1 may  
 372 be in the form of an executive summary. The report due no later than August 1 shall  
 373 include detailed information regarding the status, progress, and any interventions imposed  
 374 on the schools that are under a contract amendment or intervention contract pursuant to  
 375 Code Section 20-14-45.

376 (b) The Chief Turnaround Officer shall annually meet with the Governor, the Lieutenant  
 377 Governor, the Speaker of the House of Representatives, the chairpersons of the House

378 Committee on Education and the Senate Education and Youth Committee, the State School  
 379 Superintendent, and the Education Turnaround Advisory Council to present the findings  
 380 in the detailed report prepared pursuant to subsection (a) of this Code section.

381 20-14-49.3.

382 (a) The Joint Study Committee on the Establishment of a State Accreditation Process is  
 383 hereby created. The committee shall undertake a study regarding the potential  
 384 establishment of a state accreditation process for public schools and school systems in this  
 385 state, including the resources and structure that would be necessary, any impediments that  
 386 would need to be addressed, and the interaction with existing private accreditation  
 387 agencies. The study shall include analysis of aligning accreditation review with charter or  
 388 contract renewal for charter systems and strategic waivers school systems, respectively.  
 389 The committee shall consider the establishment of a state process for the annual review of  
 390 system charters and contracts, including student academic achievement, local board  
 391 governance, and financial management. The committee should also consider the possible  
 392 consequences of losing state accreditation that could be administered, such as removal of  
 393 local board of education members and loss of system charter or contract. In addition, the  
 394 committee shall consider the possibility of establishing a school board review commission.

395 (b) The committee shall be composed of:

396 (1) Three members of the House of Representatives, appointed by the Speaker of the  
 397 House of Representatives, one of whom who shall be designated by the Speaker to serve  
 398 as a cochairperson;

399 (2) Three members of the Senate, appointed by the President of the Senate, one of whom  
 400 who shall be designated by the President of the Senate to serve as a cochairperson;

401 (3) The State School Superintendent or his or her designee;

402 (4) The chairperson of the State Board of Education or his or her designee;

403 (5) The director of the State Charter Schools Commission or his or her designee;

404 (6) The director of the Office of Student Achievement or his or her designee;

405 (7) The chancellor of the University System of Georgia or his or her designee; and

406 (8) The following members appointed by the Governor:

407 (A) A local board of education member;

408 (B) A local school superintendent;

409 (C) A principal;

410 (D) A teacher; and

411 (E) A parent.

412 (c) The committee may conduct such meetings at such places and at such times as it may  
 413 deem necessary or convenient to enable it to exercise fully and effectively its powers.

414 perform its duties, and accomplish the objectives and purposes of this Code section. The  
415 committee shall meet upon the call of the cochairpersons.

416 (d) The legislative members of the committee shall receive the allowances provided for  
417 in Code Section 28-1-8. Any citizen members shall receive a daily expense allowance in  
418 the amount specified in subsection (b) of Code Section 45-7-21 as well as the mileage or  
419 transportation allowance authorized for state employees. Any members of the committee  
420 who are state officials, other than legislative members, and state employees shall receive  
421 no compensation for their services on the committee, but they shall be reimbursed for  
422 expenses incurred by them in the performance of their duties as members of the committee  
423 in the same manner as they are reimbursed for expenses in their capacities as state officials  
424 or employees. The funds necessary for the reimbursement of the expenses of state  
425 officials, other than legislative members, and state employees shall come from funds  
426 appropriated to or otherwise available to their respective agencies. All other funds  
427 necessary to carry out the provisions of this Code section shall come from funds  
428 appropriated to the House of Representatives and the Senate.

429 (e) The committee shall provide a report of its findings and recommendations, including  
430 any proposed legislation that may be necessary, no later than December 1, 2017, to the  
431 Governor, Lieutenant Governor, Speaker of the House of Representatives, and chairpersons  
432 of the Senate Education and Youth Committee and the House Committee on Education.

433 (f) The committee shall stand abolished and this Code section shall stand repealed by  
434 operation of law on December 31, 2017.

435 20-14-49.4.

436 (a) The Joint Study Committee on the Establishment of a Leadership Academy is hereby  
437 created. The committee shall study the possibility of establishing a leadership academy to  
438 provide opportunities for principals and other school leaders to update and expand their  
439 leadership knowledge and skills. The committee shall study and recommend the scope of  
440 a potential leadership academy, including, but not limited to, conducting seminars and  
441 workshops, providing onsite technical assistance, focusing on leadership in schools that  
442 have unacceptable ratings, criteria for participants and faculty, and any other matters  
443 deemed appropriate by the committee. The committee shall identify a process for  
444 establishing such leadership academy, which may be known as the Georgia Academic  
445 Leadership Academy, with a proposed beginning date of July 1, 2018.

446 (b) The committee shall be composed of:

447 (1) Two members of the House of Representatives, appointed by the Speaker of the  
448 House of Representatives, one of whom shall be from the minority party;

- 449 (2) Two members of the Senate, appointed by the President of the Senate, one of whom  
 450 shall be from the minority party;
- 451 (3) The commissioner of the Technical College System of Georgia or his or her  
 452 designee;
- 453 (4) The chancellor of the University System of Georgia or his or her designee;
- 454 (5) The executive director of the Professional Standards Commission or his or her  
 455 designee; and
- 456 (6) The following members appointed by the Governor:
- 457 (A) Two local school superintendents;
- 458 (B) Two principals;
- 459 (C) One member of the State Board of Education;
- 460 (D) One local board of education member;
- 461 (E) One staff member from the Department of Education; and
- 462 (F) One member of the Governor's policy staff.
- 463 The Governor shall designate one of the members as the chairperson.
- 464 (c) The committee may conduct such meetings at such places and at such times as it may  
 465 deem necessary or convenient to enable it to exercise fully and effectively its powers,  
 466 perform its duties, and accomplish the objectives and purposes of this Code section. The  
 467 committee shall meet upon the call of the chairperson.
- 468 (d) The legislative members of the committee shall receive the allowances provided for  
 469 in Code Section 28-1-8. Any citizen members shall receive a daily expense allowance in  
 470 the amount specified in subsection (b) of Code Section 45-7-21 as well as the mileage or  
 471 transportation allowance authorized for state employees. Any members of the committee  
 472 who are state officials, other than legislative members, and state employees shall receive  
 473 no compensation for their services on the committee, but they shall be reimbursed for  
 474 expenses incurred by them in the performance of their duties as members of the committee  
 475 in the same manner and funding as they are reimbursed for expenses in their capacities as  
 476 state officials or employees. The funds necessary for the reimbursement of the expenses  
 477 of state officials, other than legislative members, and state employees shall come from  
 478 funds appropriated to or otherwise available to their respective agencies. All other funds  
 479 necessary to carry out the provisions of this Code section shall come from funds  
 480 appropriated to the House of Representatives and the Senate.
- 481 (e) The committee shall provide a report of its findings and recommendations, including  
 482 any proposed legislation that may be necessary, no later than December 1, 2017, to the  
 483 Governor, Lieutenant Governor, Speaker of the House of Representatives, and chairpersons  
 484 of the Senate Education and Youth Committee and the House Committee on Education.

485 (f) The committee shall stand abolished and this Code section shall stand repealed by  
 486 operation of law on December 31, 2017."

487 **PART III**

488 **SECTION 3-1.**

489 Said title is further amended by revising Code Section 20-2-73, relating to suspension and  
 490 removal of local school board members upon potential loss of accreditation, as follows:

491 "20-2-73.

492 (a)(1) Notwithstanding Code Section 20-2-54.1 or any other provisions of law to the  
 493 contrary, if:

494 (A) A a local school system or school is placed on the level of accreditation  
 495 immediately preceding loss of accreditation for school board governance related any  
 496 reason or reasons by one or more accrediting agencies included in subparagraph (A) of  
 497 paragraph (6) of Code Section 20-3-519, the local board of education shall notify the  
 498 State Board of Education in writing within three business days of such placement and  
 499 the State Board of Education shall conduct a hearing in not less than ten days of such  
 500 notice nor more than 90 days and recommend to the Governor whether to suspend all  
 501 eligible members of the local board of education with pay; or

502 (B) One-half or more of the schools in a local school system are turnaround eligible  
 503 schools, as defined in subsection (a) of Code Section 20-14-45, for the fifth or more  
 504 consecutive year, the Department of Education shall notify the State Board of  
 505 Education in writing within three business days of the publication of the list of  
 506 turnaround eligible schools by the Office of Student Achievement and the State Board  
 507 of Education shall conduct a hearing in not less than ten days of such notice nor more  
 508 than 90 days and recommend to the Governor whether to suspend all eligible members  
 509 of the local board of education with pay; provided, however, that this subparagraph  
 510 shall be tolled for a local board of education while under a contract amendment or  
 511 intervention contract pursuant to Code Section 20-14-45 so long as such local board of  
 512 education is in substantial compliance with the terms of such contract amendment or  
 513 intervention contract.

514 (2) A majority of the members of a local board of education may petition the State Board  
 515 of Education to continue any hearing scheduled under this subsection. Upon a showing  
 516 of good cause, the state board may in its sound discretion continue any such hearing.  
 517 Notwithstanding any other provision of law, deliberations held by the State Board of  
 518 Education pursuant to this subsection to formulate its recommendation to the Governor  
 519 shall not be open to the public; provided, however, that testimony shall be taken in an

520 open meeting and a vote on the recommendation shall be taken in an open meeting  
521 following the hearing or at the next regularly scheduled meeting. If the State Board of  
522 Education makes such recommendation, the Governor may, in his or her discretion,  
523 suspend all eligible members of the local board of education with pay and, in consultation  
524 with the State Board of Education, appoint temporary replacement members who shall  
525 be otherwise qualified to serve as members of such board.

526 (b) Any local board of education member suspended under this Code section may petition  
527 the Governor for reinstatement no earlier than 30 days following suspension and no later  
528 than 60 days following suspension. In the event that a suspended member does not petition  
529 for reinstatement within the allotted time period, his or her suspension shall be converted  
530 into permanent removal, and the temporary replacement member shall become a permanent  
531 member and serve out the remainder of the term of the removed member.

532 (c) Upon petition for reinstatement by a suspended local board of education member, the  
533 Governor or his or her designated agent shall conduct a hearing for the purpose of receiving  
534 evidence relative to whether the local board of education member's continued service on  
535 the local board of education is more likely than not to improve the ability of the local  
536 school system or school to retain or reattain its accreditation or to improve the ratings of  
537 the schools in the local school system so that less than one-half of the schools in such local  
538 school system are on the turnaround eligible schools list in subsequent years. The  
539 appealing member shall be given at least 30 days' notice prior to such hearing. Such  
540 hearing shall be held not later than 90 days after the petition is filed and in accordance with  
541 Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' except that the  
542 individual conducting the hearing shall have the power to call witnesses and request  
543 documents on his or her own initiative. For purposes of said chapter and any hearing  
544 conducted pursuant to this Code section, the Governor shall be considered the agency, and  
545 the Attorney General or his or her designee shall represent the interests of the Governor in  
546 the hearing. If it is determined that it is more likely than not that the local board of  
547 education member's continued service on the local board of education improves the ability  
548 of the local school system or school to retain or reattain its accreditation or to improve the  
549 ratings of the schools in the local school system so that less than one-half of the schools in  
550 such local school system are on the turnaround eligible schools list in subsequent years, the  
551 member shall be immediately reinstated; otherwise, the member shall be permanently  
552 removed, and the temporary replacement member shall become a permanent member and  
553 serve out the remainder of the term of the removed member or until the next general  
554 election which is at least six months after the member was permanently removed,  
555 whichever is sooner. Judicial review of any such decision shall be in accordance with  
556 Chapter 13 of Title 50.

557 (d)(1) Subparagraph (B) of paragraph (1) of subsection ~~Subsection~~ (a) of this Code  
 558 section shall apply to a local school system or school which is placed on the level of  
 559 accreditation immediately preceding loss of accreditation on or after April 20, 2011.

560 (2) Subparagraph (B) of paragraph (1) of subsection (a) of this Code section shall apply  
 561 to a local school system which, on or after July 1, 2017, has one-half or more of the  
 562 schools in the local school system on the turnaround eligible schools list for the fifth or  
 563 more consecutive year.

564 (e) For purposes of this Code section, an eligible member of a local board of education  
 565 shall mean a board member who:

566 (1) Was ~~was~~ serving on the local board at the time the accrediting agency placed the  
 567 local school system or school on the level of accreditation immediately preceding loss of  
 568 accreditation; or

569 (2) Was serving on the local board at the time the local school system had one-half or  
 570 more of the schools in the local school system on the turnaround eligible schools list for  
 571 the fifth or more consecutive year and had served on the local board for at least the  
 572 immediately preceding two years.

573 (f) A local board of education shall not expend any public funds for attorney's fees or  
 574 expenses of litigation relating to proceedings initiated pursuant to this Code section except  
 575 to the extent such fees and expenses are incurred prior to and through the recommendation  
 576 of the state board as provided for in subsection (a) of this Code section; provided, however,  
 577 that nothing in this subsection shall be construed to prohibit an insurance provider from  
 578 covering attorney's fees or expenses of litigation under an insurance policy.

579 (g) Any suspended board member who is reinstated by the Governor pursuant to this Code  
 580 section may be reimbursed by the local board of education for his or her reasonable  
 581 attorney's fees and related expenses incurred in pursuing such reinstatement."

582 **SECTION 3-2.**

583 Said title is further amended by revising Code Section 20-2-83, relating to state board  
 584 approval of local school board flexibility contract, as follows:

585 "20-2-83.

586 (a) Upon approval of a proposed contract of a local school system which has requested  
 587 flexibility, the state board shall enter into such contract with the local board of education.

588 (b) The terms of the contract shall include, but not be limited to, accountability, flexibility,  
 589 and consequences components as negotiated pursuant to subsection (a) of Code Section  
 590 20-2-82 and in accordance with Code Section 20-2-84.

591 (c) Each contract shall be for a term of ~~five~~ six years. The terms of the contract may  
 592 provide for automatic extension of such contract if a local school system has met its  
 593 accountability requirements.

594 (d) The terms of a contract may be amended during the term of the contract only if  
 595 ~~warranted due to unforeseen circumstances and~~ upon approval of the state board and the  
 596 local board of education."

597 **SECTION 3-3.**

598 Said title is further amended by revising subsection (c) of Code Section 20-2-2063.2, relating  
 599 to charter systems, as follows:

600 "(c) Prior to approval or denial of a charter petition for a charter system, the state board  
 601 shall receive and give all due consideration to the recommendation and input from the  
 602 Charter Advisory Committee established in Code Section 20-2-2063.1. The state board  
 603 shall approve the charter if the state board finds, after receiving input from the Charter  
 604 Advisory Committee, that the petition complies with the rules, regulations, policies, and  
 605 procedures promulgated pursuant to Code Section 20-2-2063 and the provisions of this  
 606 title, is in the public interest, and promotes school level governance. A charter for a charter  
 607 system shall include the interventions, sanctions, and loss of governance consequences  
 608 contained in Code Section 20-14-41."

609 **SECTION 3-4.**

610 Said title is further amended by revising subsection (b) of Code Section 20-2-2067.1, relating  
 611 to amendment of terms of charter for charter school, initial term of charter, and annual report,  
 612 as follows:

613 "(b) The initial term of a charter, except for a charter system, shall be for a minimum of  
 614 five years, unless the petitioner shall request a shorter period of time, and shall not exceed  
 615 ten years. The local board and the state board, in accordance with Code Section  
 616 20-2-2064.1, may renew a local charter, upon the request of the charter school, for the  
 617 period of time specified in the request, not to exceed ten years. The state board may renew  
 618 a state chartered special school, upon the request of the school, for the period of time  
 619 specified in the request, not to exceed ten years. The initial term of a charter for a charter  
 620 system shall not exceed ~~five~~ six years. The state board may renew the charter of a charter  
 621 system, upon the request of the local board, for the period of time specified in the request,  
 622 not to exceed ten years."

623 **SECTION 3-5.**

624 Said title is further amended by adding a new subsection to Code Section 20-14-41, relating  
625 to appropriate levels of intervention for failing schools, master or management team, school  
626 improvement team, annual reports, data revision, and hearing, to read as follows:

627 "(h)(1) The State Board of Education shall prepare an annual report detailing the schools  
628 that have received an unacceptable rating for one or more consecutive years and the  
629 interventions applied to each such school pursuant to Code Section 20-14-41.

630 (2) The State Board of Education shall provide the annual report no later than December  
631 31 for the previous academic year, to the Governor, the Lieutenant Governor, the Speaker  
632 of the House of Representatives, the chairpersons of the House Committee on Education  
633 and the Senate Education and Youth Committee, and the Education Turnaround Advisory  
634 Committee."

635 **PART IV**

636 **SECTION 4-1.**

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