

House Bill 762

By: Representatives Cantrell of the 22<sup>nd</sup> and 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 annual age-appropriate  
3 sexual abuse and assault awareness and prevention education in kindergarten through  
4 grade 9; to provide that professional learning and in-service training may include programs  
5 on sexual abuse and assault awareness and prevention; to provide for related matters; to  
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the  
10 "Quality Basic Education Act," is amended by revising Code Section 20-2-143, relating to  
11 sex education and AIDS prevention instruction, implementation, and student exemption, as  
12 follows:

13 "20-2-143.

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

26 (b) The State Board of Education shall prescribe a minimum course of study in sex  
 27 education and AIDS prevention instruction which may be included as a part of a course of  
 28 study in comprehensive health education for such grades and grade levels in the public  
 29 school system as shall be determined by the state board and shall establish standards for  
 30 its administration. The course may include instruction concerning human biology,  
 31 conception, pregnancy, birth, sexually transmitted diseases, and acquired immune  
 32 deficiency syndrome. The course shall include instruction concerning the legal  
 33 consequences of parenthood, including, without being limited to, the legal obligation of  
 34 both parents to support a child and legal penalties or restrictions upon failure to support a  
 35 child, including, without being limited to, the possible suspension or revocation of a  
 36 parent's driver's license and occupational or professional licenses. The course shall also  
 37 include annual age-appropriate sexual abuse and assault awareness and prevention  
 38 education in kindergarten through grade 9. A manual setting out the details of such course  
 39 of study shall be prepared by or approved by the State School Superintendent in  
 40 cooperation with the Department of Public Health, the State Board of Education, and such  
 41 expert advisers as they may choose.

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

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

51 **SECTION 2.**

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

55 "(4) Requirements for certification renewal shall be established to foster ongoing  
 56 professional learning, enhance student achievement, and verify standards of ethical  
 57 conduct; provided, however, that from July 1, 2010, through June 30, 2017, no  
 58 professional learning requirements shall be required for certificate renewal for clear  
 59 renewable certificates for certificated personnel or for certificate renewal for  
 60 paraprofessionals. Such requirements may include, but are not limited to, professional  
 61 learning related to school improvement plans or the applicant's field of certification and

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

75 **SECTION 3.**

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

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

94 **SECTION 4.**

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