

The Senate Committee on Education and Youth offered the following substitute to HB 655:

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 require every public school to post
6 a sign containing the toll-free telephone number operated by the Division of Family and
7 Children Services of the Department of Human Services to receive reports of child abuse or
8 neglect; to provide for rules and regulations; to provide that no cause of action is created; to
9 provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

11 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the
12 "Quality Basic Education Act," is amended by revising Code Section 20-2-143, relating to
13 sex education and AIDS prevention instruction, implementation, and student exemption, as
14 follows:
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16 "20-2-143.

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

27 of prevention of pregnancy, sexually transmitted diseases, and acquired immune deficiency
28 syndrome.

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

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

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

54 **SECTION 2.**

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

58 "(4) Requirements for certification renewal shall be established to foster ongoing
59 professional learning, enhance student achievement, and verify standards of ethical
60 conduct; provided, however, that from July 1, 2010, through June 30, 2017, no
61 professional learning requirements shall be required for certificate renewal for clear
62 renewable certificates for certificated personnel or for certificate renewal for

63 paraprofessionals. Such requirements may include, but are not limited to, professional
 64 learning related to school improvement plans or the applicant's field of certification and
 65 background checks. Such requirements may also include participating in or presenting
 66 at in-service training programs on sexual abuse and assault awareness and prevention.
 67 Should the Professional Standards Commission include a requirement to demonstrate
 68 computer skill competency, the rules and regulations shall provide that a certificated
 69 educator may elect to meet the requirement by receiving satisfactory results on a test in
 70 basic computer skill competency. If a certificated educator elects to take such test
 71 pursuant to this paragraph, the local school system by which such educator is employed
 72 shall make available the opportunity to take the test on site at the school in which the
 73 educator is assigned. Each principal shall identify an administrator on site at each school
 74 to serve as a proctor for individuals taking the test pursuant to this paragraph. Individuals
 75 holding a valid Georgia life certificate or a valid National Board for Professional
 76 Teaching Standards certificate shall be deemed to have met state renewal requirements
 77 except those related to background checks."

78 **SECTION 3.**

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

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

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SECTION 4.

Said article is further amended in Part 15, relating to miscellaneous provisions, by adding a new Code section to read as follows:

"20-2-324.4.

(a) Each public school, including local charter schools and state charter schools, shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign in English and other such languages as may be determined by the local board of education that contains the toll-free telephone number operated by the Division of Family and Children Services of the Department of Human Services to receive reports of child abuse or neglect 24 hours per day and seven days per week.

(b) The State Board of Education may adopt rules and regulations relating to the size and location of the sign required by subsection (a) of this Code section.

(c) No person shall have a cause of action for any loss or damage caused by any act or omission resulting from posting, or the lack of posting, a sign pursuant to this Code section."

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SECTION 5.

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