

Senate Bill 83

By: Senators Mullis of the 53rd, Miller of the 49th, Dugan of the 30th, Albers of the 56th, Gooch of the 51st and others

**AS PASSED**

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 revise provisions relating to elective courses in History and Literature of the Old and New  
3 Testament Eras in elementary and secondary education; to establish the Realizing  
4 Educational Achievement Can Happen (REACH) Scholarship Program; to provide for a  
5 short title; to provide for definitions; to provide for scholarship eligibility and requirements;  
6 to provide for participation of local school systems; to provide for continuing eligibility; to  
7 provide for funding; to provide for the establishment of a foundation; to provide for rules and  
8 regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by  
12 revising Code Section 20-2-148, relating to elective courses in History and Literature of the  
13 Old and New Testament Eras in elementary and secondary education, as follows:

14 "20-2-148.

15 (a)(1) All public schools with grade nine or above may make available to eligible students  
16 in grades nine through 12 an elective course in:

17 (A) In the History and Literature of the Old Testament Era and an elective course in;

18 (B) In the History and Literature of the New Testament Era;

19 (C) On the Hebrew Scriptures, Old Testament of the Bible;

20 (D) On the New Testament of the Bible; and

21 (E) On the Hebrew Scriptures and the New Testament of the Bible.

22 (2) The purpose of such courses shall be to ~~accommodate the rights and desires of those~~  
23 ~~teachers and students who wish to teach and study the Old and New Testaments and to~~  
24 ~~familiarize students with the contents of the Old and New Testaments, the history~~  
25 ~~recorded by the Old and New Testaments, the literary style and structure of the Old and~~  
26 ~~New Testaments, the customs and cultures of the peoples and societies recorded in the~~

27 ~~Old and New Testaments, and the influence of the Old and New Testaments upon law,~~  
 28 ~~history, government, literature, art, music, customs, morals, values, and culture;~~

29 (A) Teach students knowledge of biblical content, characters, poetry, and narratives  
 30 that are prerequisites to understanding contemporary society and culture, including  
 31 literature, art, music, mores, oratory, and public policy; and

32 (B) Familiarize students with, as applicable:

33 (i) The contents of the Hebrew Scriptures or New Testament;

34 (ii) The history of the Hebrew Scriptures or New Testament;

35 (iii) The literary style and structure of the Hebrew Scriptures or New Testament; and

36 (iv) The influence of the Hebrew Scriptures or New Testament on law, history,  
 37 government, literature, art, music, customs, morals, values, and culture.

38 (3) A student shall not be required to use a specific translation as the sole text of the  
 39 Hebrew Scriptures or New Testament.

40 (b)(1) ~~No later than February 1, 2007, the~~ The State Board of Education shall adopt a  
 41 curriculum content standards for each course, including objectives; and reading materials;  
 42 ~~and lesson plans, which has been~~ are prepared in accordance with the requirements of this  
 43 subsection.

44 (2) The book or collection of books commonly known as the Old Testament shall be the  
 45 basic text for the course in the History and Literature of the Old Testament Era, and the  
 46 book or collection of books commonly known as the New Testament shall be the basic  
 47 text for the course in the History and Literature of the New Testament Era. In addition,  
 48 students may be assigned a range of reading materials for the courses, including  
 49 selections from secular historical and cultural works and selections from other religious  
 50 and cultural traditions. The content standards for the courses shall familiarize students  
 51 with the customs and cultures of the times and places referred to in the Old and New  
 52 Testaments. The content standards for the courses shall familiarize the students with the  
 53 methods and tools of writing at the times the Old and New Testament books were written,  
 54 the means by which they were preserved, the languages in which they were written and  
 55 into which they were translated, and the historical and cultural events which led to the  
 56 translation of the Old and New Testaments into the English language. The local board  
 57 of education may recommend which version of the Old or New Testament may be used  
 58 in the course; provided, however, that the teacher of the course shall not be required to  
 59 adopt that recommendation but may use the recommended version or another version.  
 60 No student shall be required to use one version as the sole text of the Old or New  
 61 Testament. If a student desires to use as the basic text a different version of the Old or  
 62 New Testament from that chosen by the local board of education or teacher, he or she  
 63 shall be permitted to do so.

- 64 (3) The courses provided for in this Code section shall:
- 65 (A) Be taught in an objective and nondevotional manner with no attempt made to
- 66 indoctrinate students as to either the truth or falsity of the biblical materials or texts
- 67 from other religious or cultural traditions;
- 68 (B) Not include teaching of religious doctrine or sectarian interpretation of the Bible
- 69 or of texts from other religious or cultural traditions; and
- 70 (C) Not disparage or encourage a commitment to a set of religious beliefs.
- 71 (c) The provisions of this chapter relating to personnel employed by local units of
- 72 administration, including without limitation certification requirements, employment, and
- 73 supervision, shall apply to persons who teach the courses provided for in this Code section.
- 74 In addition, no person shall be assigned to teach such courses based in whole or in part on
- 75 any religious test, profession of faith or lack thereof, prior or present religious affiliation
- 76 or lack of affiliation, or criteria involving particular beliefs or lack thereof about the Bible.
- 77 Except for these requirements, the qualifications and training of teachers shall be
- 78 determined by the local boards of education.
- 79 (d) On and after July 1, 2007, for the purpose of earning Carnegie unit curriculum credits
- 80 at the high school level, satisfactory completion of ~~the course in the History and Literature~~
- 81 ~~of the Old Testament Era shall be accepted by the State Board of Education for one-half~~
- 82 ~~unit of elective credit, and satisfactory completion of the course in the History and~~
- 83 ~~Literature of the New Testament Era~~ any of the courses described in subsection (a) of this
- 84 Code section shall be accepted by the State Board of Education for one-half unit of elective
- 85 credit; provided, however, that such courses are taught in strict compliance with the
- 86 requirements of this Code section.
- 87 (e) A local board of education may make such arrangements for monitoring the content
- 88 and teaching of ~~the course in the History and Literature of the Old Testament Era and the~~
- 89 ~~course in the History and Literature of the New Testament Era~~ any of the courses described
- 90 in subsection (a) of this Code section as it deems appropriate.
- 91 (f) Nothing in this Code section shall be construed to limit the authority of a local board
- 92 of education to offer courses regarding the Old Testament or the New Testament that are
- 93 not in compliance with this Code section; provided, however, that no state funds distributed
- 94 pursuant to this article shall be expended in connection with such a course that does not
- 95 meet the requirements of this Code section.
- 96 (g) Nothing in this Code section shall be construed to prohibit local boards of education
- 97 from offering elective courses based upon the books of other religions or societies. In
- 98 determining whether to offer such courses, the local board may consider various factors,
- 99 including, but not limited to, student and parent demand for such courses and the impact
- 100 such books have had upon history and culture.

101 (h) A course offered under this Code section shall follow applicable law and all federal  
 102 and state guidelines in maintaining religious neutrality and accommodating the diverse  
 103 religious views, traditions, and perspectives of students in the school. A course under this  
 104 Code section shall not endorse, favor, or promote, or disfavor or show hostility toward, any  
 105 particular religion or nonreligious faith or religious perspective. The State Board of  
 106 Education, in complying with this Code section, shall not violate any provision of the  
 107 United States Constitution or federal law, the Georgia Constitution or any state law, or any  
 108 administrative regulations of the United States Department of Education or the Georgia  
 109 Department of Education."

110 **SECTION 2.**

111 Said title is further amended in Article 7 of Chapter 3, relating to scholarships, loans, and  
 112 grants for postsecondary education, by adding a new part to read as follows:

113 "Part 4

114 20-3-495.

115 This part shall be known and may be cited as the 'Realizing Educational Achievement Can  
 116 Happen (REACH) Scholarship Act.'

117 20-3-496.

118 As used in this part, the term:

119 (1) 'Realizing Educational Achievement Can Happen (REACH) Scholarship Program'  
 120 or 'scholarship program' means the needs-based mentoring and scholarship program  
 121 established pursuant to this part to provide promising students the support to graduate  
 122 from high school and achieve postsecondary educational success.

123 (2) 'REACH participating school system' means a local school system that meets the  
 124 requirements of Code Section 20-3-498.

125 (3) 'REACH scholar' means a student in a REACH participating school system who has  
 126 been nominated and approved to participate in the scholarship program.

127 20-3-497.

128 The Realizing Educational Achievement Can Happen (REACH) Scholarship Program is  
 129 hereby established. The scholarship program shall provide scholarships and support to  
 130 eligible students who meet the following requirements:

131 (1) Be a United States citizen or an eligible noncitizen for 12 consecutive months prior  
 132 to the first day of classes of the spring term of the student's seventh grade school year;

- 133 (2) Be enrolled in a REACH participating school system;  
 134 (3) Qualify for the federal free or reduced lunch program;  
 135 (4) Not have had more than two in-school suspensions during the two semesters or four  
 136 quarters immediately preceding the spring term of the student's seventh grade year;  
 137 (5) Not have any criminal or drug-related convictions;  
 138 (6) Not have more than five days of unexcused absences during any of the student's  
 139 middle school calendar years;  
 140 (7) Have his or her parents or guardians complete and submit a release of information  
 141 form, as part of the application process, authorizing the school to provide the authority  
 142 information related to the student's participation in the program; and  
 143 (8) Demonstrate academic promise, as defined by the authority, taking into consideration  
 144 grades, attendance, and behavior.

145 20-3-498.

146 Local school systems interested in becoming a REACH participating school system shall  
 147 complete the REACH Scholarship Program application, and provide detailed descriptions  
 148 of how program requirements will be met, including, but not limited to, how the local  
 149 school system will:

- 150 (1) Identify the REACH coordinator;  
 151 (2) Establish a mentor program or utilize an existing local program;  
 152 (3) Identify the academic coach to monitor REACH scholars' academics, behavior, and  
 153 attendance, as well as their transition from middle school to high school; and  
 154 (4) Develop plans to engage the community and sustain the program financially and  
 155 programmatically.

156 20-3-499.

157 (a) REACH participating school systems shall select each student for the program in the  
 158 spring of the student's seventh grade year or in the fall of his or her eighth grade year, for  
 159 participation beginning in the eighth grade year. REACH participating school systems  
 160 shall develop a rigorous application process to select REACH scholars, including but not  
 161 limited to:

- 162 (1) Identifying all students eligible for federal free or reduced price lunch by:  
 163 (A) Completing the Application for Free and Reduced Price School Meals form from  
 164 the Georgia Department of Education; or  
 165 (B) Direct certification by meeting one of the following criteria:  
 166 (i) Live in a family unit receiving SNAP (Food Stamp) benefits;  
 167 (ii) Live in a family unit receiving TANF benefits;

- 168        (iii) Identify as homeless;  
 169        (iv) Identify as foster; or  
 170        (v) Identify as migrant;
- 171        (2) Nominating qualified students to apply. Nominations can be made by counselors,  
 172        principals, superintendents, or any individual within the REACH participating school  
 173        system who is able to identify students most in need of the REACH scholarship;
- 174        (3) Requiring nominated students to complete the REACH student application, which  
 175        includes an academic recommendation and a community recommendation;
- 176        (4) Reviewing student packets, including the nomination form, proof of eligibility for  
 177        federal free or reduced lunch, citizenship and residency requirements, and grade,  
 178        attendance, and discipline reports; and
- 179        (5) Interviewing all nominated students by a student selection committee established by  
 180        the REACH participating school system.
- 181        (b) REACH participating school systems shall be eligible to designate the following  
 182        number of REACH scholars:
- 183        (1) For school systems with five or more high schools, 12 REACH scholars; and  
 184        (2) For school systems with less than five high schools, seven REACH scholars.
- 185        20-3-499.1.
- 186        (a) To maintain eligibility during middle school and high school, a REACH scholar shall:
- 187        (1)(A) Maintain a cumulative grade point average of at least 2.5 or better as calculated  
 188        by the REACH participating school system, if the REACH scholar is in middle school;  
 189        or
- 190        (B) Maintain a secondary cumulative grade point average of at least 2.5 as calculated  
 191        by the authority in the same manner as the high school grade point average for initial  
 192        HOPE scholarship eligibility;
- 193        (2) Adhere to the REACH participating school system's stated attendance policy and  
 194        attend classes regularly. A REACH scholar will be placed on probation for one semester  
 195        after reaching five or more combined excused and unexcused absences in one semester.  
 196        While on probation, the REACH scholar may be removed from the program if he or she  
 197        has any additional unexcused absences or three or more excused absences;
- 198        (3) Adhere to the REACH participating school system's stated disciplinary policy. A  
 199        REACH scholar will be placed on probation for one semester if he or she receives more  
 200        than one in-school suspension per semester or immediately upon an out-of-school  
 201        suspension. While on probation, the REACH scholar may be removed from the program  
 202        if he or she has an additional suspension;

203 (4) Remain drug and alcohol-free. A REACH scholar convicted of committing a felony  
 204 or misdemeanor involving marijuana, controlled substances, or dangerous drugs, is  
 205 immediately ineligible for further participation in the scholarship program. A REACH  
 206 scholar who fails to comply with the REACH participating school system's drug and  
 207 alcohol policies will be immediately ineligible for further participation in the scholarship  
 208 program;

209 (5) Meet with his or her assigned REACH mentor a minimum of eight times per  
 210 semester;

211 (6) Meet with his or her assigned REACH academic coach a minimum of four times per  
 212 semester;

213 (7) Attend REACH program activities;

214 (8) Graduate from high school; and

215 (9) Enroll in a University System of Georgia or Technical College System of Georgia  
 216 institution or an eligible private postsecondary educational institution.

217 (b) To maintain eligibility during college, a REACH scholar shall:

218 (1) Be enrolled full-time at an eligible postsecondary institution;

219 (2) Maintain a minimum 2.0 grade point average and satisfactory academic progress, as  
 220 determined by the authority;

221 (3) Complete and submit a Free Application for Federal Student Aid (FAFSA) each year  
 222 of college; and

223 (4) Not be in default on a federal or state educational loan or owe a refund to a federal  
 224 or state student financial aid program.

225 20-3-499.2.

226 (a) Subject to available funding, the authority will provide \$10,000.00 for each REACH  
 227 scholar for the first year of the REACH participating school system's participation in the  
 228 scholarship program.

229 (b) Each year thereafter, the REACH participating school system will be responsible for  
 230 providing a proportionate share of the scholarship. The REACH participating school  
 231 system's proportionate share shall be based on the tier designated by the Department of  
 232 Community Affairs pursuant to Code Section 48-7-40 for the county in which the school  
 233 system is located and the population of such county, according to the United States  
 234 decennial census of 2010 or any future such census. The term of the tier designation shall  
 235 be five years; provided, however, that in any subsequent year within the five-year  
 236 designation period in which the county of the local school system is designated with a  
 237 lower tier, a REACH participating school system may reduce its tier designation  
 238 commensurately and utilize such designation for the remainder of the five-year period.

239 Through Fiscal Year 2022, the 2016 Department of Community Affairs tier designation  
 240 shall be used to define the proportionate share, as adjusted pursuant to the foregoing. The  
 241 REACH participating school system's proportionate share shall be as follows:

242 (1) A proportionate share of \$1,000.00 per REACH scholar for:

243 (A) Tier 1 counties; and

244 (B) Tier 2 counties with populations equal to or less than 20,000;

245 (2) A proportionate share of \$2,000.00 per REACH scholar for:

246 (A) Tier 2 counties with populations greater than 20,000; and

247 (B) Tier 3 counties with populations equal to or less than 20,000;

248 (3) A proportionate share of \$3,000.00 per REACH scholar for tier 3 counties with  
 249 populations greater than 20,000; and

250 (4) A proportionate share of \$4,000.00 per REACH scholar for tier 4 counties.

251 (c) Any county in which there are three or more school systems eligible to participate in  
 252 the REACH program shall be permitted to provide to each REACH participating school  
 253 system within the county a one-tier reduction, unless that county's tier designation is tier 1.

254 20-3-499.3.

255 The authority may establish and operate a nonprofit corporation in accordance with  
 256 subparagraph (a)(1)(Y) of Code Section 20-3-316, to be designated as the REACH Georgia  
 257 Foundation. The purpose of the foundation shall be to accept private donations from  
 258 individuals, charitable foundations, and corporations to provide funding for the scholarship  
 259 program established pursuant to this part to ensure that Georgia's low-income,  
 260 academically promising students have the academic, social, and financial support needed  
 261 to graduate from high school, access postsecondary education, and achieve postsecondary  
 262 success. The foundation may identify, through strategic planning, other targeted  
 263 fundraising and grant funding opportunities to support the purpose of the foundation.

264 20-3-499.4.

265 The authority shall develop rules, guidelines, application forms, and application procedures  
 266 necessary to implement the provisions of this part."

267 **SECTION 3.**

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