

Senate Bill 466

By: Senators Martin of the 9th, Black of the 8th, Brass of the 28th, Parent of the 42nd and Sims of the 12th

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to employment under the "Quality Basic Education Act," so as to remove
3 the needs development rating from the group of performance evaluation ratings which may
4 adversely impact an educator's ability to obtain a renewable certificate from the Georgia
5 Professional Standards Commission; to remove the needs development rating from the group
6 of performance evaluation ratings which shall be reported by local school systems to the
7 Georgia Professional Standards Commission; to provide for a pilot program for an alternative
8 personnel evaluation system; to provide for the selection of school systems to participate in
9 such pilot program; to provide for an annual report regarding such pilot program; to remove
10 the needs development rating from the group of performance evaluation ratings which may
11 adversely impact an educator's ability to obtain a year of creditable service on the state's
12 minimum salary schedules; to provide for related matters; to repeal conflicting laws; and for
13 other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
17 relating to employment under the "Quality Basic Education Act," is amended by revising
18 subsection (c) of Code Section 20-2-200, relating to regulation of certificated professional
19 personnel by Professional Standards Commission, rules and regulations, and fees, as follows:
20 "(c) An individual who has received any combination of two unsatisfactory; or ineffective;
21 ~~or needs development~~ annual summative performance evaluations in the previous five-year
22 period pursuant to Code Section 20-2-210 shall not be entitled to a renewable certificate
23 prior to demonstrating that such performance deficiency has been satisfactorily addressed,
24 but such individual may apply to the commission for a nonrenewable certificate, as defined
25 by the commission. Each local school system and charter school shall report all
26 unsatisfactory; and ineffective, ~~and needs development~~ ratings of all performance

27 evaluations as provided in Code Section 20-2-210 for certificated personnel in their employ
 28 in a manner, format, and frequency determined by the commission. The commission is
 29 authorized to release such data provided it cannot be personally identifiable to any
 30 currently or formerly certificated person."

31 **SECTION 2.**

32 Said part is further amended by adding a new Code section to read as follows:

33 "20-2-210.1.

34 (a) Beginning with the 2020-2021 school year, the department shall be authorized to
 35 design and implement a pilot program for a personnel evaluation system as an alternative
 36 to the evaluation system provided for in Code Section 20-2-210, except that such
 37 alternative evaluation system shall include the same elements as provided for in
 38 paragraph (3) of subsection (b) of Code Section 20-2-210. The pilot program for the
 39 alternative evaluation system shall provide for embedded supports, professional
 40 development opportunities, recognition and advancement for highly effective teachers, the
 41 creation of a pathway for progression, and differentiation of performance.

42 (b) The State School Superintendent shall select no more than ten local school systems to
 43 participate in the pilot program provided for in this Code section. In an effort to pilot the
 44 alternative evaluation system in various types of local school systems represented in this
 45 state, the State School Superintendent shall seek to include at least one local school system
 46 located in an urban setting, two local school systems located in a suburban setting, and
 47 three local school systems located in a rural setting. The participating local school systems
 48 shall be selected in a competitive process and based on criteria established by the State
 49 School Superintendent, including current compliance with the terms of each local school
 50 system's respective charter system contract or strategic waivers school system contract.

51 (c) Notwithstanding the provisions of Code Sections 20-2-82, 20-2-244, and 20-2-2065,
 52 the State Board of Education shall be authorized to waive, for the duration of the pilot
 53 program, the requirements of paragraph (4) of subsection (b) of Code Section 20-2-210 for
 54 each local school system participating in the pilot program.

55 (d) Each local school system participating in the pilot program shall amend its charter
 56 system contract or strategic waivers school system contract to reflect the teacher evaluation
 57 system pilot that will be utilized during the term of the pilot program provided for in this
 58 Code section. Any local school system in such pilot program that is not complying with
 59 the terms of its charter system contract or strategic waiver school system contract may be
 60 removed from such pilot program at the sole discretion of the State School Superintendent
 61 and shall be required to comply with the performance evaluation system provided for in
 62 Code Section 20-2-210.

63 (e) No later than June 30, 2021, and annually thereafter for the duration of the pilot
 64 program provided for in this Code section, the Department of Education shall, upon
 65 approval by the State Board of Education, submit a detailed written report on the
 66 implementation and effectiveness of such pilot program to the Governor, the Speaker of
 67 the House of Representatives, and the President of the Senate. The final report shall also
 68 include recommendations regarding whether the alternative evaluation system should be
 69 implemented throughout the state."

70 **SECTION 3.**

71 Said part is further amended by revising subsection (a) of Code Section 20-2-212, relating
 72 to salary schedules, as follows:

73 "(a) The State Board of Education shall establish a schedule of minimum salaries for
 74 services rendered which shall be on a ten-month basis and which shall be paid by local
 75 units of administration to the various classifications of professional personnel required to
 76 be certificated by the Professional Standards Commission. The minimum salary schedule
 77 shall provide a minimum salary base for each classification of professional personnel
 78 required to be certificated; shall provide for increment increases above the minimum salary
 79 base of each classification based upon individual experience and length of satisfactory
 80 service; and shall include such other uniformly applicable factors as the state board may
 81 find relevant to the establishment of such a schedule. The minimum salary base for
 82 certificated professional personnel with bachelor's degrees and no experience, when
 83 annualized from a ten-month basis to a 12 month basis, shall be comparable to the
 84 beginning salaries of the recent graduates of the University System of Georgia holding
 85 bachelor's degrees and entering positions, excluding professional educator teaching
 86 positions, in Georgia having educational entry requirements comparable to the
 87 requirements for entry into Georgia public school teaching. The placement of teachers on
 88 the salary schedule shall be based on certificate level and years of creditable experience,
 89 except that a teacher shall not receive credit for any year of experience in which the teacher
 90 received an unsatisfactory or ineffective annual summative performance evaluation ~~or for~~
 91 ~~the second year in which a teacher receives two consecutive annual summative needs~~
 92 ~~development ratings~~ pursuant to Code Section 20-2-210. The General Assembly shall
 93 annually appropriate funds to implement a salary schedule for certificated professional
 94 personnel. For each state fiscal year, the state board shall adopt the salary schedule for
 95 which funding has been appropriated by the General Assembly. A local unit of
 96 administration shall not pay to any full-time certificated professional employee a salary less
 97 than that prescribed by the schedule of minimum salaries, except as required by this Code
 98 section; nor shall a local unit of administration pay to any part-time certificated

99 professional employee less than a pro rata portion of the respective salary prescribed by the
100 schedule of minimum salaries, except as required by this Code section. For purposes of
101 this subsection, an educator's placement on the salary schedule shall not be based on a
102 leadership degree, which shall mean a degree earned in conjunction with completion of an
103 educator leadership preparation program approved by the Professional Standards
104 Commission, unless the educator is employed in a leadership position as defined by the
105 State Board of Education, but shall be placed on the salary schedule position attributable
106 to the educator but for the leadership degree; provided, however, that this shall not apply,
107 regardless of whether or not he or she is in a leadership position, to:

- 108 (1) An educator who possessed a leadership degree prior to July 1, 2010; or
109 (2) An educator who possessed:
110 (A) A master's level leadership degree prior to July 1, 2012;
111 (B) An education specialist level leadership degree prior to July 1, 2013; or
112 (C) A doctoral level leadership degree prior to July 1, 2014,
113 so long as he or she was enrolled in such leadership preparation program on or before
114 April 1, 2009."

115 **SECTION 4.**

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