

ADOPTED

Senator Albers of the 56th offered the following amendment:

1 *Amend the House Committee on Education substitute to SB 59 (LC 49 0544S) by inserting*
2 *after "so as" on line 2 "to prohibit the waiver of the early intervention program requirements*
3 *in local school system flexibility contracts;"*

4 *By inserting after "public school employees;" on line 9 "to require that new and renewed*
5 *charters for charter schools and charter systems shall be subject to early intervention program*
6 *requirements;"*

7 *By inserting between lines 14 and 15 the following:*

8 **SECTION 1.**

9 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
10 secondary education, is amended by revising Code Section 20-2-82, effective July 1, 2021,
11 relating to contract terms for local school systems requesting flexibility, as follows:

12 "(e) The state board shall be authorized to approve a waiver or variance request of
13 specifically identified state rules, regulations, policies, and procedures or provisions of
14 this chapter upon the inclusion of such request in the local school system's proposed
15 contract and in accordance with subsection (b) of Code Section 20-2-84. The goal for
16 each waiver and variance shall be improvement of student performance. The state board
17 shall not be authorized to waive or approve variances on any federal, state, and local
18 rules, regulations, court orders, and statutes relating to civil rights; insurance; the
19 protection of the physical health and safety of school students, employees, and visitors;
20 conflicting interest transactions; the prevention of unlawful conduct; any laws relating
21 to unlawful conduct in or near a public school; the early intervention program provided

22 for in Code Section 20-2-153; any reporting requirements pursuant to Code Section
 23 20-2-320 or Chapter 14 of this title; the requirements of Code Section 20-2-210; the
 24 requirements of Code Section 20-2-211.1; or the requirements in subsection (c) of Code
 25 Section 20-2-327. A local school system that has received a waiver or variance shall
 26 remain subject to the provisions of Part 3 of Article 2 of Chapter 14 of this title, the
 27 requirement that it shall not charge tuition or fees to its students except as may be
 28 authorized for local boards by Code Section 20-2-133, and shall remain open to
 29 enrollment in the same manner as before the waiver request."

30 *By inserting between lines 81 and 82 the following:*

31 **SECTION 5.**

32 Said chapter is further amended in Code Section 20-2-2065, relating to waiver of provisions
 33 of this title, requirements for operating, and control and management of schools under the
 34 Charter Schools Act of 1988, by revising paragraphs (13) and (14) of subsection (b) and
 35 adding a new paragraph to read as follows:

36 "(13) Subject to the provisions of Code Section 20-2-211.1 relating to fingerprint and
 37 criminal background checks; ~~and~~

38 (14) Subject to the provisions of subsection (c) of Code Section 20-2-327 relating to
 39 individual graduation plans; and

40 (15) Subject to the provisions of Code Section 20-2-153 relating to the early intervention
 41 program."

42 *By redesignating Sections 1, 2, 3, 4, 5, 6, and 7 on lines 15, 32, 60, 82, 132, 156 and 161 as*
 43 *subsections 2, 3, 4, 6, 7, 8, and 9 respectively.*