

MOOT

Senators Payne of the 54th, Watson of the 11th, and Dixon of the 45th offered the following amendment #1:

1 *Amend the House substitute to SB 169 (LC 49 1887S) by replacing lines 1 through the end*
2 *with the following:*
3 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
4 elementary and secondary education, so as to provide for reducing the minimum required
5 millage rate or effective millage rate from 14 mills to 10 mills for equalization grants; to
6 provide for 25 percent reduction of equalization grant awards for local school systems whose
7 millage rate or effective millage rate does not meet the minimum requirement; to require
8 annual reporting by the Department of Education; to revise definitions; to repeal a definition;
9 to provide for limits on the extension of hearing dates for student discipline tribunals; to
10 require local school systems to provide appropriate grade-level instructional materials to any
11 student subject to in-school suspension, short-term suspension, or long-term suspension
12 pending completion of the student discipline tribunal; to provide for construction; to provide
13 for related matters; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
17 secondary education, is amended in Code Section 20-2-165, relating to equalization grants,
18 annual calculations, and allocation, by repealing paragraph (5.1) of subsection (a), revising
19 paragraph (9) of subsection (a), and adding two new subsections to read as follows:

"(9) 'Qualified local school system' is defined as any local school system:

(A) Having an assessed valuation per weighted full-time equivalent count for the year of the digest which is below the guaranteed valuation;

(B) Having an effective millage rate greater than the millage rate applied to calculate the local five mill share pursuant to subsection (a) of Code Section 20-2-164; and

(C) ~~Beginning July 1, 2015, having a millage rate or an equivalent millage of at least 12 mills; beginning July 1, 2016, having a millage rate or an equivalent millage of at least 12 1/2 mills; beginning July 1, 2017, having a millage rate or an equivalent millage of at least 13 mills; beginning July 1, 2018, having a millage rate or an equivalent millage of at least 13 1/2 mills; beginning July 1, 2019, and thereafter, having a millage rate or an equivalent millage of at least 14 mills~~ July 1, 2024, and thereafter, having a millage rate or an effective millage rate of at least 10 mills."

"(d.1) If, after a local school system's equalization grant has been calculated for the ensuing fiscal year as provided in subsection (b) of this Code section, such school system decreases the actual or effective millage levied against its digest for maintenance and operation to an amount below the minimum amount required in subparagraph (a)(9)(C) of this Code section, a midterm adjustment in such school system's equalization grant shall be made such that the total equalization grant amount awarded to such school system is reduced to an amount equal to 75 percent of the initial equalization grant amount."

"(f) Each year, the Department of Education shall prepare a report of each local school system that received an equalization grant the previous fiscal year. Such report shall include for each local school system the initial equalization grant amount, the midterm adjustment to the equalization grant, and the total amount of equalization grants received in the previous ten years. Such report shall also identify each local school system that received an equalization grant during the previous fiscal year while having a millage rate or an effective millage rate of less than 10 mills for the period of time upon which the calculation of such equalization grant was based. Each year by September 1, the

Department of Education shall provide such report to the chairpersons of the House Committee on Appropriations, the Senate Appropriations Committee, the House Committee on Education, the Senate Education and Youth Committee, the director of the Office of Planning and Budget, the director of the Senate Budget and Evaluation Office, and the director of the House Budget and Research Office."

SECTION 2.

Said chapter is further amended in Code Section 20-2-754, relating to procedures to be followed by disciplinary officer, panel, or tribunal in public schools, and review, is amended by revising subsection (b) as follows:

"(b) A disciplinary officer, panel, or tribunal of school officials appointed as required by Code Section 20-2-753 shall, in addition to any other requirements imposed by rules and regulations which may have been promulgated pursuant to Code Section 20-2-752, ensure that:

(1) All parties are afforded an opportunity for a hearing after reasonable notice served personally or by mail. This notice shall be given to all parties and to the parent or guardian of the student or students involved and shall include a statement of the time, place, and nature of the hearing; a short and plain statement of the matters asserted; and a statement as to the right of all parties to present evidence and to be represented by legal counsel;

(2) The hearing is held no later than ten school days after the beginning of the suspension unless the school system and parents or guardians mutually agree to an extension, in which case the school system shall set a new date and time of the hearing that shall not occur more than 15 school days after the beginning of the suspension. The hearing may be held later than 15 school days after the beginning of the suspension upon a written request by a parent or guardian and agreement by the school system;

(3) All parties are afforded an opportunity to present and respond to evidence and to examine and cross-examine witnesses on all issues unresolved;

(4) Any teacher who is called as a witness by the school system shall be given notice no later than three days prior to the hearing; ~~and~~

(5) A verbatim electronic or written record of the hearing shall be made and shall be available to all parties; and

(6) The school system shall provide appropriate grade-level instructional materials to any student awaiting completion of the hearing provided for in this subsection. Nothing in this paragraph shall be construed to infringe on any right provided to students with Individualized Education Programs pursuant to the federal Individuals with Disabilities Education Act, Section 504 of the federal Rehabilitation Act of 1973, or the federal Americans with Disabilities Act of 1990."

SECTION 3.

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