

House Bill 293

By: Representatives Miller of the 62nd, Carter of the 93rd, Glaize of the 67th, Willis of the 55th, Berry of the 56th, and others

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 repeal various provisions of the “Protect Students First Act,” enacted by Ga. L. 2022, p.136,
3 relating to divisive concepts; to repeal Code Section 20-1-11, relating to advocating for
4 divisive concepts, prohibition on discrimination, practice of tolerance and mutual respect
5 encouraged, complaint resolution policies, inspection of records, and waivers prohibited; to
6 repeal a provision which prohibits basing certification and classification of certain
7 professional personnel upon completion of training programs which advocate for certain
8 concepts; to repeal a provision which prohibits certain performance standards and the code
9 of ethics for educators to require completion of training programs which advocate for certain
10 concepts; to provide for related matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in
14 Article 1 of Chapter 1, relating to general provisions, by repealing Code Section 20-2-11,
15 relating to advocating for divisive concepts, prohibition on discrimination, practice of

tolerance and mutual respect encouraged, complaint resolution policies, inspection of records, and waivers prohibited, in its entirety.

SECTION 2.

Said title is further amended in Subpart 1 of Part 6 of Article 6 of Chapter 2, relating to certificated professional personnel in elementary and secondary education, by revising subsection (a) and paragraph (1) of subsection (b) of Code Section 20-2-200, relating to regulation of certificated professional personnel by Professional Standards Commission, rules and regulations, and fees, as follows:

"(a) The Professional Standards Commission shall provide, by regulation, for certifying and classifying all certificated professional personnel employed in the public schools of this state, including personnel who provide virtual instruction to public schools of this state, whether such personnel are located within or outside of this state or whether such personnel are employed by a local unit of administration. ~~Such certification and classification shall not be dependent in whole or in part upon an individual participating in or completing any training program in which divisive concepts, as such term is defined in Code Section 20-1-11, are advocated for.~~ No such personnel shall be employed in the public schools of this state unless they hold certificates issued by the commission certifying their qualifications and classification in accordance with such regulations. The commission shall establish such number of classifications of other certificated professional personnel as it may find reasonably necessary or desirable for the operation of the public schools; provided, however, that such classifications shall be based only upon academic, technical, and professional training, experience, and competency of such personnel. The commission is authorized to provide for denying a certificate to an applicant, suspending or revoking a certificate, or otherwise disciplining the holder of a certificate for good cause after an investigation is held and notice and an opportunity for a hearing are provided the certificate holder or applicant in accordance with subsection (d) of Code Section 20-2-984.5. The

commission shall designate and define the various classifications of professional personnel employed in the public schools of this state that shall be required to be certificated under this Code section or under Code Section 20-2-206. Without limiting the generality of the foregoing, the term 'certificated professional personnel' means all professional personnel certificated by the commission and county or regional librarians.

(b)(1) The Professional Standards Commission shall establish rules and regulations for appropriate requirements and procedures to ensure high-quality certification standards for all Georgia educators while facilitating the interstate mobility of out-of-state certified educators; ~~provided, however, that such rules, regulations, requirements, and procedures shall not require an individual to participate in or complete any training program in which divisive concepts, as such term is defined in Code Section 20-1-11, are advocated for.~~

SECTION 3.

Said title is further amended in Subpart 1A of Part 2 of Article 16 of Chapter 2, relating to improved student learning environment and discipline in elementary and secondary education, by revising Code Section 20-2-739, relating to conflict management and resolution and cultural diversity training programs, as follows:

"20-2-739.

On and after July 1, 2000, the Department of Education shall provide training programs in conflict management and resolution and in cultural diversity for voluntary implementation by local boards of education for school employees, parents and guardians, and students; ~~provided, however, that after July 1, 2022, such training programs shall not advocate for divisive concepts, as such term is defined in Code Section 20-1-11.~~"

SECTION 4.

Said title is further amended in Part 10 of Article 17 of Chapter 2, relating to professional standards in elementary and secondary education, by revising subsection (a) of Code

Section 20-2-984, relating to Professional Standards Commission — authority to create and implement standards and procedures for certifying educational personnel, recommending standards and procedures for certification, continuation of teaching certificates, and restrictions, as follows:

"(a) The commission shall create and implement standards and procedures for certifying educational personnel as qualified for a certificate to practice in the public schools of Georgia; ~~provided, however, that such standards and procedures shall not require an individual to participate in or complete any training program in which divisive concepts, as such term is defined in Code Section 20-1-11, are advocated for; provided, further, that such~~ Such standards and procedures shall include the following:

(1) Procedures for limiting the number and types of certificates to the fewest possible consistent with providing qualified teachers for Georgia's schools;

(2) In-service training and related requirements needed to renew or maintain certification;

(3) Multiple or alternative routes to professional teacher certification, including, but not limited to, the alternative and nontraditional teacher certification programs provided for in Code Section 20-2-206; provided, however, that the commission's standards and procedures consider for in-state certification nationally accredited teacher certification programs outside of this state which are state sponsored and meet the academic accreditation and certification requirements of the commission; and

(4)(A) Requirements, including appropriate examinations and assessments, for acquiring and maintaining certification pursuant to Code Section 20-2-200.

(B) Beginning July 1, 2025, the Georgia Assessments for Certification of Educators (GACE), or any other assessment required by the commission for teacher certification, shall be aligned with developmentally appropriate evidence based literacy instruction."

SECTION 5.

Said title is further amended in Part 10 of Article 17 of Chapter 2, relating to professional standards in elementary and secondary education, by revising subsection (a) of Code Section 20-2-984.1, relating to Professional Standards Commission — adoption of standards of performance and a code of ethics, as follows:

"(a) It shall be the duty of the commission, by regulation, to adopt standards of performance and a code of ethics for educators. The standards of performance and code of ethics shall represent standards of performance and conduct which are generally accepted by educators of this state. In adopting regulations as provided in this Code section, the commission shall seek the advice of educators of this state. The standards of performance and code of ethics adopted by the commission shall be limited to professional performance and professional ethics. ~~The standards of performance and code of ethics adopted by the commission shall not require an individual to participate in or complete any training program in which divisive concepts, as such term is defined in Code Section 20-1-11, are advocated for.~~"

SECTION 6.

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