

Senate Bill 519

By: Senators Anderson of the 43rd, Howard of the 35th, Kemp of the 38th, Goodman of the 8th, Hickman of the 4th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
2 elementary and secondary education, so as to revise various provisions relating to the  
3 conditions of employment for employees of local school systems and other public schools;  
4 to provide requirements for certain evaluations; to provide requirements for employment  
5 contracts for teachers; to provide for planned restroom breaks for teachers; to provide for  
6 role-specific training; to provide for policies relating to school bus drivers; to provide for  
7 related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
11 secondary education, is amended by revising subsections (d) and (e) of Code Section  
12 20-2-210, relating to annual performance evaluations and confidentiality, as follows:

13 "(d) The superintendent of each local school system shall identify an appropriately trained  
14 evaluator for each person employed by the local unit of administration for the purposes of  
15 completing an annual evaluation as required by this Code section. No employee of a public  
16 school shall be selected as the evaluator for other employees of such public school. The

17 superintendent of each local school system shall be responsible for ensuring compliance  
18 with this Code section.

19 (e)(1) All records, including surveys and evaluation instruments, associated with  
20 individual performance evaluations conducted pursuant to this Code section shall be  
21 confidential and not subject to public disclosure. Each local school system and charter  
22 school shall report performance data to the Georgia Department of Education in a format  
23 approved by the State Board of Education. The department is authorized to release  
24 performance data, except to the extent it is personally identifiable to any public school  
25 employee.

26 (2) Any current or former public school employee may execute a release authorizing the  
27 release of his or her individual performance data to a third party.

28 (3) The department may by agreement share individual data with the Office of Student  
29 Achievement for the purposes of improving postsecondary educator preparation so long  
30 as the office agrees that it will not disclose personally identifiable information about any  
31 public school employee.

32 (4) Surveys of public school employees conducted pursuant to this Code section shall be  
33 conducted anonymously."

## 34 SECTION 2.

35 Said chapter is further amended by revising subsection (b) of Code Section 20-2-211, relating  
36 to annual contracts, employment of certificated professional personnel, employment  
37 qualifications, and job descriptions, as follows:

38 "(b) Any other provisions of this article or any other laws to the contrary notwithstanding,  
39 each local governing board shall, by not later than May 15 of the current school year,  
40 tender a new contract for the ensuing school year to each teacher and other professional  
41 employee certificated by the Professional Standards Commission on the payroll of the local  
42 unit of administration at the beginning of the current school year, except those who have

43 resigned or who have been terminated as provided in Part 7 of Article 17 of this chapter,  
44 or shall notify in writing each such teacher or other certificated professional employee of  
45 the intention of not renewing his or her contract for the ensuing school year. Such  
46 contracts when tendered to each teacher or other professional employee shall be complete  
47 in all terms and conditions of the contract, including the amount of compensation to be paid  
48 to such teacher or other professional employee during the ensuing school year and his or  
49 her assignment for the ensuing school year, and shall not contain blanks or leave any terms  
50 and conditions of the contract open. A letter of intent or similar document shall not  
51 constitute a contract and shall not be construed to require or otherwise legally bind the  
52 teacher or other professional employee to return to such school system. Upon request, a  
53 written explanation for failure to renew such contract shall be made available to such  
54 certificated personnel by the executive officer. When such notice of intended termination  
55 has not been given by May 15, the employment of such teacher or other certificated  
56 professional employee shall be continued for the ensuing school year unless the teacher or  
57 certificated professional employee elects not to accept such employment by notifying the  
58 local governing board or executive officer in writing not later than June 1."

59

### SECTION 3.

60 Said chapter is further amended in Code Section 20-2-218, relating to duty-free lunch period  
61 and planning period required, exemption for extenuating circumstances, and funding, by  
62 adding a new paragraph to subsection (b) to read as follows:

63 "(3) Every teacher who is employed in grades kindergarten through 12 for a period of  
64 time of more than one-half of the class periods of the regular school day shall be provided  
65 not less than two planned restroom breaks per day, one of which may coincide with such  
66 teacher's planning period."

67 **SECTION 4.**

68 Said chapter is further amended by revising subsection (a) of Code Section 20-2-230, relating  
69 to programs relative to staff development, as follows:

70 "(a) All public school officials and professional personnel certificated by the Professional  
71 Standards Commission shall be provided the opportunity to continue their development  
72 throughout their professional careers and to receive training relevant to their roles. The  
73 primary purpose of the staff development sponsored or offered by local boards of education  
74 and the Department of Education shall be the implementation of this policy. Two  
75 additional purposes of such staff development programs shall be to adopt into general  
76 practice the findings of scientifically designed research which has been widely replicated,  
77 particularly as it relates to teacher and school effectiveness, and to address professional  
78 needs and deficiencies identified during the process of objective performance evaluations."

79 **SECTION 5.**

80 Said chapter is further amended by revising subsection (a) of Code Section 20-2-1126,  
81 relating to written policies and procedures for operation of school buses, receipt of code of  
82 conduct by students, and acknowledgment by parent or guardian, as follows:

83 "(a) Each public school system in this state shall promulgate policies and procedures for  
84 the operation of school buses and the conduct and safety of those students who ride such  
85 buses. Such policies and procedures shall be in writing and available for public inspection.  
86 Each person employed as a school bus driver shall acknowledge in writing that he or she  
87 has received a copy of and has read and understands such policies and procedures. In the  
88 event that such policies and procedures are amended during the school year, such amended  
89 policies and procedures shall be provided to all persons employed by the school system as  
90 school bus drivers, and each such person shall acknowledge in writing that he or she has  
91 received a copy of and has read and understands such amended policies and procedures.  
92 Such policies and procedures shall provide for a school bus driver to request a bus monitor

93 if he or she has a concern regarding the behavior of a student or students who ride his or  
94 her school bus."

95 **SECTION 6.**

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