

Senate Bill 557

By: Senators Payne of the 54th, Albers of the 56th, Anavitarte of the 31st, Summers of the 13th, Hickman of the 4th and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapters 2 and 14 of Title 20 of the Official Code of Georgia Annotated, relating
2 to elementary and secondary education and education accountability, respectively, so as to
3 revise various provisions regarding student discipline and working conditions of teachers and
4 other school personnel; to provide that requirements related to student discipline and
5 complaints policies for public school employees are not subject to waiver; to require local
6 boards of education and public school governing bodies to adopt policies and procedures to
7 allow an employee of a public school who is the victim of an act of physical violence
8 committed by a student or the parent or guardian of a student to transfer to a substantially
9 similar position in another public school within the same local school system; to provide that
10 school climate star ratings shall not utilize data regarding student discipline; to provide for
11 an effective date and applicability; to provide for related matters; to repeal conflicting laws;
12 and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

S. B. 557

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PART I
SECTION 1-1.

16 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
17 secondary education, is amended in Article 4, relating to increased flexibility for local school
18 systems, by revising subsection (e) of Code Section 20-2-82, relating to contract with state
19 board of education required for strategic waivers school systems and waivers and variances,
20 as follows:

21 "(e) The state board shall be authorized to approve a waiver or variance request of
22 specifically identified state rules, regulations, policies, and procedures or provisions of
23 this chapter upon the inclusion of such request in the local school system's proposed
24 contract and in accordance with subsection (b) of Code Section 20-2-84. The goal for
25 each waiver and variance shall be improvement of student performance. The state board
26 shall not be authorized to waive or approve variances on any federal, state, and local
27 rules, regulations, court orders, and statutes relating to civil rights; insurance; the
28 protection of the physical health and safety of school students, employees, and visitors;
29 conflicting interest transactions; the prevention of unlawful conduct; any laws relating
30 to unlawful conduct in or near a public school; the early intervention program provided
31 for in Code Section 20-2-153; any reporting requirements pursuant to Code Section
32 20-2-320 or Chapter 14 of this title; the requirements of Code Section 20-2-210; the
33 requirements of Code Section 20-2-211.1; requirements relating to student discipline
34 provided for in Part 2 of Article 16 of this chapter; the complaint policy provided for in
35 Part 11 of Article 17 of this chapter; or the requirements in subsection (c) of Code Section
36 20-2-327. A local school system that has received a waiver or variance shall remain
37 subject to the provisions of Part 3 of Article 2 of Chapter 14 of this title, the requirement
38 that it shall not charge tuition or fees to its students except as may be authorized for local

39 boards by Code Section 20-2-133, and shall remain open to enrollment in the same
40 manner as before the waiver request."

41 **SECTION 1-2.**

42 Said chapter is further amended in Part 8 of Article 6, relating to state board of education
43 relative to quality basic education, by revising subsection (b) of Code Section 20-2-244,
44 relating to waivers and variances for local school systems, as follows:

45 "(b) The State Board of Education is not authorized to waive any federal, state, and local
46 rules, regulations, court orders, and statutes relating to civil rights; insurance; the protection
47 of the physical health and safety of school students, employees, and visitors; conflicting
48 interest transactions; the prevention of unlawful conduct; any laws relating to unlawful
49 conduct in or near a public school; any reporting requirements pursuant to Code Section
50 20-2-320 or Chapter 14 of this title; the requirements of Code Section 20-2-210; the
51 requirements of Code Section 20-2-211.1; requirements relating to student discipline
52 provided for in Part 2 of Article 16 of this chapter; the complaint policy provided for in
53 Part 11 of Article 17 of this chapter; or the requirements in subsection (c) of Code Section
54 20-2-327. A school or school system that has received a waiver shall remain subject to the
55 provisions of Part 3 of Article 2 of Chapter 14 of this title, the requirement that it shall not
56 charge tuition or fees to its students except as may be authorized for local boards by Code
57 Section 20-2-133, and shall remain open to enrollment in the same manner as before the
58 waiver request."

59 **SECTION 1-3.**

60 Said chapter is further amended in Article 31, relating to the "Charter Schools Act of 1998,"
61 by revising subsection (b) of Code Section 20-2-2065, relating to waiver of provisions of this
62 title, requirements for operating, and control and management relative to charter schools, as
63 follows:

64 "(b) In determining whether to approve a charter petition or renew an existing charter, the
65 local board and state board shall ensure that a charter school, or for charter systems, each
66 school within the system, shall be:

67 (1) A public, nonsectarian, nonreligious, nonprofit school that is not home based,
68 provided that a charter school's nonprofit status shall not prevent the school from
69 contracting for the services of a for profit entity and that nothing in this Code section
70 shall preclude the use of computer and Internet based instruction for students in a virtual
71 or remote setting;

72 (2) Subject to the control and management of the local board of the local school system
73 in which the charter school is located, as provided in the charter and in a manner
74 consistent with the Constitution, if a local charter school;

75 (3) Subject to the supervision of the state board, as provided in the charter and in a
76 manner consistent with the Constitution, if a state chartered special school;

77 (4) Organized and operated as a nonprofit corporation under the laws of this state;
78 provided, however, that this paragraph shall not apply to any charter petitioner that is a
79 local school, local school system, or state or local public entity;

80 (5) Subject to all federal, state, and local rules, regulations, court orders, and statutes
81 relating to civil rights; insurance; the protection of the physical health and safety of
82 school students, employees, and visitors; conflicting interest transactions; and the
83 prevention of unlawful conduct; provided, however, that if:

84 (A) A facility used for a charter school is owned or operated by any state agency or
85 entity, and such facility or equipment purchased or used by the facility meets the safety
86 standards of the state agency or entity that owns or operates such facility; or

87 (B) A facility used for a charter school is owned by a local educational agency and
88 operated utilizing standards of a state agency or entity, and such facility or equipment
89 purchased or used by the facility meets the safety standards of the state agency or entity
90 with respect to structural soundness and sufficient maintenance,

91 the facility or equipment or both shall be deemed to meet the safety requirements of this
92 paragraph; provided, further, that in no event shall the state agency or entity or local
93 educational agency owner or operator of a charter school with such facility or equipment
94 be disqualified from eligibility for state grants or for federal grants awarded pursuant to
95 state regulations due to such facility or equipment;

96 (6) Subject to all laws relating to unlawful conduct in or near a public school;

97 (7) Subject to an annual financial audit conducted by the state auditor or, if specified in
98 the charter, by an independent certified public accountant licensed in this state; provided,
99 however, that a separate audit shall not be required for a charter school if the charter
100 school is included in the local school system audit conducted by the state auditor pursuant
101 to Code Section 50-6-6;

102 (8) Subject to the provisions of Part 3 of Article 2 of Chapter 14 of this title, and such
103 provisions shall apply with respect to charter schools whose charters are granted or
104 renewed on or after July 1, 2000;

105 (9) Subject to all reporting requirements of Code Section 20-2-160, subsection (e) of
106 Code Section 20-2-161, Code Section 20-2-320, and Code Section 20-2-740;

107 (10) Subject to the requirement that it shall not charge tuition or fees to its students
108 except as may be authorized for local boards by Code Section 20-2-133;

109 (11) Subject to the provisions of Code Section 20-2-1050 requiring a brief period of
110 quiet reflection;

111 (12) Subject to the provisions of Code Section 20-2-210 relating to annual performance
112 evaluations;

113 (13) Subject to the provisions of Code Section 20-2-211.1 relating to fingerprint and
114 criminal background checks;

115 (14) Subject to the provisions of subsection (c) of Code Section 20-2-327 relating to
116 individual college and career plans; and

117 (15) Subject to the provisions of Code Section 20-2-153 relating to the early intervention
118 program;

119 (16) Subject to the provisions of Part 2 of Article 16 of this chapter, relating to student
120 discipline; and

121 (17) Subject to the provisions of Part 11 of Article 17 of this chapter, relating to
122 complaints policy relative to teachers and other school personnel."

123 **SECTION 1-4.**

124 Said chapter is further amended in Article 31C, relating to completion special schools, by
125 revising subsection (d) of Code Section 20-2-2096.3, relating to requirements of completion
126 special schools, student enrollment, and waivers or variances, as follows:

127 "(d) The state board shall be authorized to approve a request by a completion special
128 school for a waiver or variance of specifically identified state rules, regulations, policies,
129 and procedures or provisions of this chapter. The goal for each waiver and variance shall
130 be improvement of student performance. The state board shall not be authorized to waive
131 or approve variances on any federal, state, and local rules, regulations, court orders, and
132 statutes relating to civil rights; insurance; the protection of the physical health and safety
133 of school students, employees, and visitors; conflicting interest transactions; the prevention
134 of unlawful conduct; any laws relating to unlawful conduct in or near a public school; the
135 early intervention program provided for in Code Section 20-2-153; any reporting
136 requirements pursuant to Code Section 20-2-320 or Chapter 14 of this title; the
137 requirements of Code Section 20-2-210; the requirements of Code Section 20-2-211.1;
138 requirements relating to student discipline provided for in Part 2 of Article 16 of this
139 chapter; the complaint policy provided for in Part 11 of Article 17 of this chapter; or the
140 requirements in subsection (c) of Code Section 20-2-327. A local school system that has
141 received a waiver or variance shall remain subject to the provisions of Part 3 of Article 2
142 of Chapter 14 of this title, the requirement that it shall not charge tuition or fees to its

143 students except as may be authorized for local boards by Code Section 20-2-133, and shall
144 remain open to enrollment in the same manner as before the waiver request."

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PART II

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SECTION 2-1.

147 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
148 secondary education, is amended in Subpart 2 of Part 6 of Article 6, relating to conditions
149 of employment under the "Quality Basic Education Act," by adding a new Code section to
150 read as follows:

151 "20-2-222.

152 No later than August 1, 2026, each local board of education and public school governing
153 body shall adopt policies and procedures to allow an employee of a public school who is
154 the victim of an act of physical violence, as such term is defined in Code
155 Section 20-2-751.6, committed by a student or the parent or guardian of a student to
156 transfer to a substantially similar position in another public school within the same local
157 school system, provided that such a position is available. Such policy shall provide that
158 no employee shall be subject to retaliation or other adverse action due to such a transfer or
159 request to transfer."

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PART III

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SECTION 3-1.

162 Chapter 14 of Title 20 of the Official Code of Georgia Annotated, relating to education
163 accountability, is amended in Part 3 of Article 2, relating to education accountability
164 assessment programs, by revising paragraph (1) of subsection (c) of Code Section 20-14-33,
165 relating to indicators of quality of learning in individual schools and school systems,

166 comparison to state standards, rating schools and school systems, providing information, and
167 uniform definition of "dropout" and "below grade level", as follows:

168 "(c)(1) Performance on the indicators of quality of learning, financial efficiency, school
169 climate, and any other indicators the office adopts shall be compared to state standards,
170 progress on improved student achievement, and comparable performance. The standards
171 for comparison shall be established by the office as provided in Code Section 20-14-31,
172 in coordination with the Department of Education. Data and information regarding the
173 standards shall be included in the annual report provided for in paragraph (2) of
174 subsection (a) of Code Section 20-14-27. Financial efficiency may include an analysis
175 of how federal and state funds spent by local school systems impact student achievement
176 and school improvement, and components used to determine financial efficiency may
177 include actual achievement, resource efficiency, and student participation in standardized
178 testing. School climate determinations may utilize data from student health surveys, data
179 on environmental and behavior indicators, data on student behavioral and school-based
180 reactions, and teacher and parent survey instruments. School climate determinations shall
181 not utilize data regarding student discipline. Financial efficiency and school climate shall
182 have one of the following star ratings based upon the factors included in this subsection,
183 as further defined by rules and regulations of the office:

- 184 (A) '5-star' schools ranked excellent according to the state determined financial
185 efficiency or school climate index, as appropriate;
- 186 (B) '4-star' schools ranked above average according to the state determined financial
187 efficiency or school climate index, as appropriate;
- 188 (C) '3-star' schools ranked average according to the state determined financial
189 efficiency or school climate index, as appropriate;
- 190 (D) '2-star' schools ranked below satisfactory according to the state determined
191 financial efficiency or school climate index, as appropriate; or

192 (E) '1-star' schools ranked unsatisfactory according to the state determined financial
193 efficiency or school climate index, as appropriate."

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PART IV

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SECTION 4-1.

196 This Act shall become effective on July 1, 2026, and shall apply to all school years beginning
197 with the 2026-2027 school year.

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PART V

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SECTION 5-1.

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