

The Senate Committee on Appropriations offered the following substitute to HB 1193:

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 promote and advance state-wide literacy and reading education efforts; to provide for funding
3 for school based literacy coaches in all public schools in this state with students in any of
4 grades kindergarten through three; to encourage families to have their children attend school
5 or a home study program beginning at age five; to provide for literacy coaching
6 endorsements for certificated professional personnel; to revise the "Georgia Early Literacy
7 and Dyslexia Act"; to provide for a definition; to revise provisions of said Act relative to the
8 selection of and requirements for universal reading screeners; to provide for regional literacy
9 coaches employed by regional educational service agencies; to provide for certification of
10 and funding for high-quality instructional materials; to provide for a position description and
11 minimum qualifications and duties for school based literacy coaches and regional literacy
12 coaches; to revise provisions relative to grade placement, promotion, and retention; to
13 provide for the termination of the Georgia Council on Literacy; to provide a short title; to
14 provide for an effective date; to provide for related matters; to repeal conflicting laws; and
15 for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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PART I
SECTION 1-1.

19 This Act shall be known and may be cited as the "Georgia Early Literacy Act of 2026."

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SECTION 1-2.

21 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Part
22 5 of Article 6 of Chapter 2, relating to program weights and funding requirements under the
23 "Quality Basic Education Act," by adding a new Code section to read as follows:

24 "20-2-186.1.

25 (a) As used in this paragraph, the term 'eligible school' means a school with any of grades
26 kindergarten through three.

27 (b) Subject to appropriations by the General Assembly, the State Board of Education shall
28 provide grants to local units of administration with eligible schools for the purpose of
29 reimbursing such units of administration for expenditures sufficient to pay the beginning
30 salary and benefits of one school based literacy coach per eligible school, except that any
31 such school with 200 or fewer full-time equivalent students shall earn 50 percent of such
32 amount.

33 (c)(1) The State Board of Education, in collaboration with the Office of Student
34 Achievement, shall establish the minimum qualifications and duties for school based
35 literacy coaches.

36 (2) The minimum qualifications for school based literacy coaches shall include, but shall
37 not be limited to:

38 (A) Certification by the Professional Standards Commission;

39 (B) A minimum of five years of documented successful classroom teaching or literacy
40 intervention experience at assigned grade levels; and

41 (C) A knowledge of scientifically based reading research, special expertise in quality
42 reading instruction and intervention, dyslexia specific interventions, and data analysis.

43 (3) The minimum duties for school based literacy coaches shall include, but shall not be
44 limited to:

45 (A) Coaching educators using nonevaluative, evidence based practices, including
46 modeling instruction, analyzing instructional practice and data, providing actionable
47 feedback, and delivering side-by-side classroom support;

48 (B) Collaborating with the school principal to create a strategic plan for literacy
49 coaching;

50 (C) Spending no less than 70 percent of the school day in classrooms working directly
51 with students and teachers;

52 (D) Prioritizing time for those teachers, activities, and roles that will have the greatest
53 impact on student reading achievement, such as coaching and mentoring in classrooms;

54 (E) Analyzing student data, including screening, diagnostic, and progress monitoring
55 data, to inform instruction, grouping, and intervention within a multi-tiered system of
56 supports framework;

57 (F) Synthesizing student performance data and educator practice data to establish
58 coaching goals and design targeted, needs based support for educators;

59 (G) Supporting the implementation and monitoring of evidence based literacy curricula
60 and instructional materials with fidelity, ensuring alignment to the science of reading;
61 and

62 (H) Demonstrating competency through approved, periodic, practice based assessment
63 that verifies his or her ability to apply the science of reading, learning science, and
64 instructional science to deliver explicit, systematic, evidence based literacy instruction
65 directly with students.

66 (4) A school based literacy coach shall not be:

- 67 (A) Authorized or required to perform administrative functions or duties, including, but
68 not limited to, performing any rotating duty assignments or serving as an evaluator,
69 substitute teacher, assessment coordinator, or school administrator;
70 (B) Invited, required, or permitted to attend placement committee meetings; or
71 (C) Designated as a teacher of record.
- 72 (d) By August 1, 2026, the State Board of Education shall establish policies, rules, and
73 regulations necessary for the implementation of this Code section, including, but not
74 limited to, the process by which local units of administration shall request and receive such
75 grant funds.
- 76 (e) Nothing in the Code section shall be construed to prohibit local units of administration
77 from hiring or contracting with school based literacy coaches using other funds available
78 for such purpose."

79 **SECTION 1-3.**

80 Said title is further amended in Part 11 of Article 6, relating to regional educational service
81 agencies, by adding a new Code section to read as follows:

82 "20-2-270.3.

- 83 (a) The board of control of each regional educational service agency (RESA) shall
84 authorize regional literacy coaches to provide literacy coaching, support, and related
85 services to local school systems and other public schools in the RESA service area.
- 86 (b) In collaboration with the Department of Education and the Office of Student
87 Achievement, the board of control of each RESA shall assign regional literacy coaches to
88 the local school systems and other public schools in the RESA service area.
- 89 (c) Each regional literacy coach authorized by the board of control of a RESA shall be
90 employed by such RESA and shall report to the director of the RESA.

91 (d)(1) The State Board of Education, in collaboration with the Office of Student
92 Achievement, shall establish the minimum qualifications and duties for regional literacy
93 coaches.

94 (2) The minimum qualifications for regional literacy coaches shall include, but shall not
95 be limited to:

96 (A) Certification by the Professional Standards Commission;

97 (B) A minimum of five years of documented successful classroom teaching or literacy
98 intervention experience at assigned grade levels; and

99 (C) A knowledge of scientifically based reading research, special expertise in quality
100 reading instruction and intervention, dyslexia specific interventions, and data analysis.

101 (3) The minimum duties for regional literacy coaches shall include, but shall not be
102 limited to:

103 (A) Coaching educators using nonevaluative, evidence based practices, including
104 modeling instruction, analyzing instructional practice and data, providing actionable
105 feedback, and delivering side-by-side classroom support;

106 (B) Collaborating with school principals, school based literacy coaches, and
107 representatives of the Department of Education and the Office of Student Achievement;

108 (C) Providing ongoing support to local school systems and public schools for effective
109 implementation and continuous improvement of comprehensive literacy programs;

110 (D) Providing ongoing professional learning activities and materials for teachers and
111 literacy coaches that include research on the science of reading and curriculum based
112 professional learning to support them in applying such training and research into
113 instructional practices;

114 (E) Analyzing student data, including screening, diagnostic, and progress monitoring
115 data, to inform instruction, grouping, and intervention within a multi-tiered system of
116 supports framework;

- 117 (F) Synthesizing student performance data and educator practice data to establish
 118 coaching goals and design targeted, needs based support for educators;
 119 (G) Supporting the implementation and monitoring of evidence based literacy curricula
 120 and instructional materials with fidelity, ensuring alignment to the science of reading;
 121 and
 122 (H) Demonstrating competency through approved, periodic, practice based assessment
 123 that verifies the literacy coach's ability to apply the science of reading, learning science,
 124 and instructional science to deliver explicit, systematic, evidence based literacy
 125 instruction directly with students."

126 **PART II**

127 **SECTION 2-1.**

128 Said title is further amended in Part 3 of Article 6 of Chapter 2, relating to educational
 129 programs under the "Quality Basic Education Act," by repealing and reserving paragraph (2)
 130 and repealing and replacing paragraph (6) of subsection (b) and revising subsections (c) and
 131 (e) of Code Section 20-2-153.1, the "Georgia Early Literacy and Dyslexia Act," as follows:

132 "(6) 'Dyslexia' shall have the same meaning as the definition adopted and amended from
 133 time to time by the International Dyslexia Association and approved by the State Board
 134 of Education and posted on the websites of the Department of Education and the Office
 135 of Student Achievement."

136 "(c)(1) The board, in consultation with the department and the Office of Student
 137 Achievement, shall establish such policies, rules, and regulations as necessary to
 138 implement uniform grade-appropriate metrics for measuring literacy.

139 (2) By March 1, 2027 ~~As soon as practicable but not later than January 1, 2024,~~ the
 140 board, in consultation with the Office of Student Achievement, shall:

141 (A) Approve high-quality instructional materials aligned to the science of reading to
142 be used for teaching students in kindergarten through third grade to read; and

143 (B) Establish a procedure for each public school and local school system to annually
144 certify to the department that such school or school system's locally approved
145 instructional materials and content, as defined in subsection (a) of Code
146 Section 20-2-1017, constitute high-quality instructional materials aligned to the science
147 of reading.

148 ~~(3)(A) Every three years beginning in 2027, the center shall review and update, as~~
149 ~~appropriate, qualifications, timelines, and submission procedures for education service~~
150 ~~providers to submit one or more universal reading screeners to be considered for~~
151 ~~inclusion on the board's list of approved universal reading screener providers provided~~
152 ~~for in subparagraph (B) of this paragraph.~~

153 (B)(3) By April 1, 2028, and by April 1 every third year thereafter, the board, in
154 consultation with the Office of Student Achievement, shall approve a list of no less than
155 two and ~~As soon as practicable but not later than May 15, 2025, the board shall approve~~
156 ~~the memorandum of agreement between the council and the department, as provided for~~
157 ~~in subparagraph (B) of paragraph (4) of this subsection, for a list of no more than five~~
158 ~~universal reading screeners, one of which shall be a free universal reading screener, for~~
159 ~~use by public schools and local school systems as part of their comprehensive literacy~~
160 ~~programs which meet the following criteria. Each such universal reading screener shall:~~

161 ~~(i) Capable of providing relevant information to assist teachers with targeting~~
162 ~~instruction based on student needs;~~

163 ~~(ii) Capable of measuring foundational literacy skills;~~

164 ~~(iii) Capable of identifying students who are significantly at risk of not attaining~~
165 ~~grade level reading proficiency, including, but not limited to, identifying students with~~
166 ~~characteristics of dyslexia;~~

167 ~~(iv) Prescribed parameters on the time required to administer a universal reading~~
 168 ~~screeener with the primary objective of such prescription being to minimize impacts~~
 169 ~~on instructional time; and~~
 170 ~~(v) Capable of progress monitoring.~~
 171 (A) Provide screening and diagnostic capabilities for monitoring student progress;
 172 (B) Measure, at a minimum, a student's foundational reading skills, including, but not
 173 limited to, a student's phonological awareness, oral language, the alphabetic principle,
 174 including letter naming, letter sound, and sound letter correspondences, decoding,
 175 encoding, accuracy, vocabulary, and comprehension;
 176 (C) Identify students who are significantly at risk of not attaining grade level reading
 177 proficiency, including, but not limited to, identifying students with characteristics of
 178 dyslexia; and
 179 (D) Have robust reporting capabilities, including, but not limited to, the capability to
 180 generate and provide directly to the department and the Office of Student Achievement
 181 reports of screener results by:
 182 (i) Student;
 183 (ii) Student subgroups based on grade level, educational program, demographic
 184 characteristics, and other criteria identified by the department and the Office of
 185 Student Achievement;
 186 (iii) School; and
 187 (iv) Local school system.
 188 (4)(A) ~~The By July 15 each year, the department shall publish and regularly update on~~
 189 ~~its public website the free universal reading screener and the list of other approved~~
 190 ~~universal reading screeners provided for in paragraph (3) of this subsection, one of which~~
 191 ~~each public school and local school system shall adopt and administer in order to comply~~
 192 ~~with the requirements of subparagraph (B) of paragraph (3) of this subsection as part of~~
 193 ~~their comprehensive literacy programs.~~

194 ~~(B) The council, in collaboration with the center and the Office of Planning and~~
195 ~~Budget, shall identify a free universal reading screener that meets the criteria~~
196 ~~established by the board as provided in subparagraph (B) of paragraph (3) of this~~
197 ~~subsection. The council shall enter into a memorandum of agreement with the~~
198 ~~department to make such universal reading screener available for use free of charge to~~
199 ~~public schools and local school systems.~~

200 (5) The department shall publish on its ~~public~~ website and distribute by ~~July 15~~ July 1
201 each year by electronic means to each local school system and public school in this state
202 a dyslexia informational handbook that includes guidance, technical assistance, and
203 training to assist all schools in the implementation of evidence based practices for
204 instructing students with characteristics of dyslexia. Such handbook shall include, but
205 shall not be limited to, ~~the following information:~~

206 (A) Evidence based practices designed specifically for students with characteristics of
207 dyslexia;

208 (B) Guidance on developing support plans for students with characteristics of dyslexia;

209 (C) A list and brief description of the dyslexia related training programs accredited by
210 the International Dyslexia Association and any other nationally or internationally
211 recognized accrediting organization; and

212 (D) A list of dyslexia endorsement programs approved by the Professional Standards
213 Commission.

214 (6) The department shall, in consultation with the University System of Georgia, the
215 Professional Standards Commission, the Office of Student Achievement, Georgia's
216 regional ~~education~~ educational service agencies, and literacy experts, develop or procure
217 one or more ~~training~~ professional learning programs for kindergarten through third grade
218 teachers on the science of reading, structured literacy, and foundational literacy skills that
219 enable students to develop reading skills required to meet state standards in literacy.
220 Such programs shall emphasize the importance of applying research about the science of

221 reading to instructional practices and of using high-quality instructional materials. Such
 222 ~~training~~ programs shall be developed or procured to promote teachers' knowledge and
 223 skills for teaching all students to read, including students with dyslexia, and to ensure
 224 teachers and literacy coaches have the knowledge and skills necessary to use approved
 225 universal reading screeners and to use assessment data to inform instruction based on
 226 student needs.

227 (7) The department shall provide technical assistance to aid public schools and local
 228 school systems in implementing the provisions of this Code section.

229 (8)(A) By November 1 each year ~~Beginning April 1, 2026,~~ the department shall
 230 provide an annual report on the impacts of the implementation of the provisions of this
 231 Code section, including, but not limited to, reporting the results by school and school
 232 system of:

233 (i) The comprehensive summative assessment program for third grade students
 234 provided for in subsection (a) of Code Section 20-2-281; and

235 (ii) The formative reading assessments for first and second grade students provided
 236 for in Code Section 20-2-280.

237 (B) Such report shall also include analyses of the impact of use of universal reading
 238 screeners, the use of high-quality instructional materials, and instructional practices
 239 ~~grounded in~~ aligned to the science of reading. Such report shall be provided to the
 240 Governor, the President of the Senate, the Speaker of the House of Representatives, the
 241 ~~chairperson~~ chairpersons of the House Committee on Education, the Senate Education
 242 and Youth Committee, the House Committee on Higher Education, the Senate Higher
 243 Education Committee, the House Committee on Appropriations, and the Senate
 244 Appropriations Committee, and the board, and shall be made available on the
 245 department's public website for access by the public."

246 "(e)(1) There is established within the Office of Student Achievement the Georgia
 247 Literacy Coach Coordinating Committee. Such committee shall comprise, at a minimum,

248 ~~the Georgia Literacy Coach, the Coordinator of Georgia Literacy Coaching, State~~
 249 Literacy Coordinator, a representative of the Department of Education, at least one
 250 representative of Georgia's regional ~~education services~~ educational service agencies, a
 251 ~~representative~~ representatives of a research based education ~~organization~~ organizations
 252 with subject matter expertise identified by the Georgia ~~Council on Literacy~~ department
 253 ~~and the Office of Student Achievement~~, and other subject matter experts identified by the
 254 ~~Georgia Literacy Coach or the Georgia Council on Literacy~~ department and the Office
 255 of Student Achievement.

256 (2) The Office of Student Achievement shall employ: the State Literacy Coordinator,
 257 (A) ~~The Georgia Literacy Coach~~; and
 258 (B) ~~The Coordinator of Georgia Literacy Coaching~~, who shall be responsible for:
 259 (i)(A) Serving as the chairperson of the Georgia Literacy Coach Coordinating
 260 Committee;
 261 (ii) ~~Coordinating state-wide literacy coaching efforts~~;
 262 (iii)(B) Serving as the primary liaison with the Department of Education with respect
 263 to state-wide literacy coaching efforts;
 264 (iv)(C) ~~Direction and oversight of~~ Coordination of and collaboration with literacy
 265 coaches affiliated with the Department of Education or a regional ~~education~~
 266 educational service agency whose positions are supported with state or federal funds;
 267 and
 268 (v)(D) Coordinating with ~~designated organizations affiliated with the Georgia~~
 269 Council on Literacy organizations designated by the State Board of Education and the
 270 Office of Student Achievement with respect to research, best practices, and proactive
 271 intervention strategies for birth to adult language and literacy learning."

272 **SECTION 2-2.**

273 Said title is further amended in Subpart 1 of Part 6 of Article 6 of Chapter 2, relating to
274 certificated professional personnel, by adding a new Code section to read as follows:

275 "20-2-208.2.

276 (a) No later than December 30, 2026, the Professional Standards Commission shall
277 establish a literacy coaching endorsement for teachers and other certificated professional
278 personnel trained in an evidence based approach to teaching oral and written language
279 aligned to the science of reading founded on the science of how children learn to read and
280 characterized by explicit, systematic, cumulative, and diagnostic instruction in phonology,
281 sound-symbol association, syllable instruction, morphology, syntax, and semantics.

282 (b) The requirements to receive such literacy coaching endorsement shall include training
283 on the use of universal reading screeners to measure and monitor a student's progress in
284 foundational literacy skills, providing guidance to parents, and providing training or
285 guidance to other teachers and school personnel."

286 **SECTION 2-3.**

287 Said title is further amended in Subpart 2 of Part 1 of Article 16 of Chapter 2, relating to
288 compulsory attendance, by revising subsection (b) of Code Section 20-2-690.1, relating to
289 compulsory education for children between ages six and 16 and voluntary withdrawal, as
290 follows:

291 "(b) Each child in this state shall be required to attend a public school, a private school, or
292 a home study program between his or her sixth and sixteenth birthdays; provided, however,
293 that it is the policy of this state that families are encouraged to have their children attend
294 a public school, a private school, or a home study program beginning at age five. Such
295 compulsory attendance shall not apply to any child who has successfully completed all
296 requirements for a high school diploma or state approved high school equivalency (HSE)
297 diploma."

298 **SECTION 2-4.**

299 Said title is further amended in Article 19 of Chapter 2, relating to instructional materials and
300 content, by revising Code Section 20-2-1010, relating to board authority to establish
301 instructional materials and content, as follows:

302 "20-2-1010.

303 (a) The State Board of Education ~~is authorized to~~ shall prescribe, by regulation, the
304 definition of the term 'instructional materials and content' to include but not be limited to
305 systematically designed material in any medium, including digital instructional materials
306 and content and any computer hardware, software, and technical equipment necessary to
307 support such instructional materials and content, that constitutes the principal source of
308 study for a state funded course to be used in the various grades in the public schools of this
309 state, including ~~the elementary grades and high school grades~~ kindergarten through
310 grade 12. The state board may provide, by regulation, for multiple listings of instructional
311 materials and content for use in the various grades and may, in its discretion, authorize the
312 local school ~~superintendents~~ systems and other public schools to exercise a choice as
313 between various instructional materials and content so listed or adopted for any particular
314 grade.

315 (b) Nothing in this Code section shall be construed to exempt computer hardware or
316 related equipment acquired by the state from competitive bidding.

317 (c) Notwithstanding any provision of law, including, but not limited to, any provision of
318 this article to the contrary, it is the policy of this state that:

319 (1) Only high-quality instructional materials that are aligned to the science of reading,
320 as such terms are defined in Code Section 20-2-153.1, shall be used for literacy and
321 reading education in kindergarten through grade three; and

322 (2) Beginning with the 2029-2030 school year and continuing thereafter, no public
323 school that receives funds under Article 6 of this chapter shall use any portion of such
324 funds for the purchase or use of instructional materials for literacy and reading education

325 in kindergarten through grade three that are not approved for such purpose by the State
 326 Board of Education."

327 **SECTION 2-5.**

328 Said title is further amended in said article by adding a new Code section to read as follows:

329 "20-2-1015.1.

330 (a) Local boards of education and other public school governing bodies shall approve
 331 high-quality instructional materials for students in kindergarten through grade three as
 332 required under Code Section 20-2-153.1, the 'Georgia Early Literacy and Dyslexia Act.'

333 (b) Local boards of education and other public school governing bodies are strongly
 334 encouraged to provide exclusively for the use of high-quality instructional materials that
 335 are aligned to the science of reading, as such terms are defined in Code Section 20-2-153.1,
 336 for literacy and reading instruction for students in kindergarten through grade three.

337 (c) The State Board of Education shall annually determine a reasonable level of funding
 338 to assist local boards of education and other public school governing bodies in attaining
 339 high-quality instructional materials pursuant to this Code section. Such level of funding
 340 shall annually be presented to the General Assembly for its consideration in including
 341 appropriations for such purposes."

342 **SECTION 2-6.**

343 Said title is further amended in Article 4 of Chapter 1, relating to the Council on Literacy,
 344 by revising subsection (e) of Code Section 20-1-42, relating to membership and Literacy
 345 Coach, as follows:

346 "(e) The council shall be attached for administrative purposes only to the Office of Student
 347 Achievement. The Office of Student Achievement shall provide staff support for the
 348 council and shall ~~hire an individual to serve as Georgia Literacy Coach who shall be~~
 349 ~~responsible for coordination of such staff support and for working in coordination with the~~

350 ~~literacy related efforts of the Alliance of Education Agency Heads. The Office of Student~~
351 ~~Achievement shall use any funds specifically appropriated to support the work of the~~
352 ~~council for such purpose."~~

353 **SECTION 2-7.**

354 Said title is further amended by revising Code Section 20-1-45, relating to termination, as
355 follows:

356 "20-1-45.

357 The council shall be abolished and this article shall stand repealed on December 31, 2030
358 2026."

359 **SECTION 2-8.**

360 Said title is further amended in Part 2 of Article 2 of Chapter 14, relating to the Office of
361 Student Achievement, by striking "and" at the end of paragraph (3), striking "." and inserting
362 in lieu thereof "; and" at the end of paragraph (4), and adding a new paragraph to
363 subsection (a) of Code Section 20-14-26, relating to duties, to read as follows:

364 "(5) In collaboration with State Board of Education, the Department of Education, the
365 Department of Early Care and Learning, the Department of Public Health, the University
366 System of Georgia, the Technical College System of Georgia, and other appropriate
367 stakeholders as determined by the director, to maintain and amend as needed the Georgia
368 Literacy Plan originally created by the Georgia Council on Literacy and to annually review
369 to ensure oversight, accountability, and effectiveness of implementation of the 'Georgia
370 Early Literacy and Dyslexia Act,' Code Section 20-2-153.1, and other literacy efforts
371 supporting schools and school systems, children and families, and adult learners provided
372 for in the Georgia Literacy Plan. The Department of Education shall ensure that all data
373 requested by the office shall be provided on a timeframe requested by the office in order
374 to timely meet its reporting requirements."

375 **SECTION 2-9.**

376 Said title is further amended in said part by striking "and" at the end of paragraph (3),
 377 striking "." and inserting in lieu thereof "; and" at the end of paragraph (4), and adding a new
 378 paragraph to subsection (a) of Code Section 20-14-27, relating to required reports and
 379 publication format, to read as follows:

380 "(5) An annual report regarding the Georgia Literacy Plan and the effectiveness of
 381 implementation of literacy efforts in the state."

382 **PART III**383 **SECTION 3-1.**

384 Said title is further amended in Part 12 of Article 6 of Chapter 2, relating to effectiveness of
 385 educational programs, by revising Code Section 20-2-283, relating to criteria, specific
 386 requirements for students in grades three, five, and eight, and implementation, as follows:

387 "20-2-283.

388 (a) No later than ~~January 1, 2002~~ January 1, 2027, the State Board of Education shall adopt
 389 criteria for the development of a placement and promotion policy by each local board of
 390 education and other public school governing body consistent with the Georgia Academic
 391 Placement and Promotion Policy.

392 (b) Such criteria as adopted by the State Board of Education shall require the following for
 393 students in grades one, three, five, and eight:

394 (1) No student shall be promoted, except as provided in this Code section, to:

395 (A) The second grade program to which the student would otherwise be assigned if the
 396 student is determined to be significantly at risk of not attaining grade level reading
 397 proficiency, as determined in accordance with Code Section 20-2-153.1, by the end of
 398 the first grade program and does not meet the promotional standards and criteria

399 established by the State Board of Education and by the local board of education or other
400 governing body for the school that the student attends;

401 ~~(A)~~(B) The fourth grade program to which the student would otherwise be assigned if
402 the student does not achieve grade level as defined by the Office of Student
403 Achievement in accordance with Code Section 20-14-31 on the third grade
404 end-of-grade reading assessment developed in accordance with subsection (a) of Code
405 Section 20-2-281 and meet the promotional standards and criteria established by the
406 State Board of Education and by the local ~~school~~ board of education or other governing
407 body for the school that the student attends;

408 ~~(B)~~(C) The sixth grade program to which the student would otherwise be assigned if
409 the student does not achieve grade level as defined by the Office of Student
410 Achievement in accordance with Code Section 20-14-31 on the fifth grade end-of-grade
411 mathematics assessment and fifth grade end-of-grade reading assessment developed in
412 accordance with subsection (a) of Code Section 20-2-281 and meet the promotional
413 standards and criteria established by the State Board of Education and by the local
414 ~~school~~ board of education or other governing body for the school that the student
415 attends; or

416 ~~(C)~~(D) The ninth grade program to which the student would otherwise be assigned if
417 the student does not achieve grade level as defined by the Office of Student
418 Achievement in accordance with Code Section 20-14-31 on the eighth grade
419 end-of-grade mathematics assessment and eighth grade end-of-grade reading
420 assessment developed in accordance with subsection (a) of Code Section 20-2-281 and
421 meet the promotional standards and criteria established by the State Board of Education
422 and by the local ~~school~~ board of education or other governing body for the school that
423 the student attends;

424 (2) When a student does not perform at grade level on any end-of-grade assessment
425 specified in subparagraph (B), (C), or (D) of paragraph (1) of this subsection, then the
426 following shall occur:

427 (A) The parent or guardian of the student shall be notified in writing by first-class mail
428 by the school principal or ~~such official's~~ the principal's designee regarding the student's
429 performance below grade level on the assessment instrument, the retest to be given the
430 student, the accelerated, differentiated, or additional instruction program to which the
431 student is assigned, and the possibility that the student might be retained at the same
432 grade level for the next school year;

433 (B) The student shall be retested with an end-of-grade assessment or an alternative
434 assessment instrument that is appropriate for the student's grade level as provided for
435 by the State Board of Education and the local board of education or school governing
436 body; and

437 (C) The student shall be given an opportunity for accelerated, differentiated, or
438 additional instruction in the applicable subject; ~~and~~

439 (3) When a student does not perform at grade level on any end-of-grade assessment
440 specified in subparagraph (B), (C), or (D) of paragraph (1) of this subsection and also
441 does not perform at grade level on a second additional opportunity as provided for in
442 paragraph (2) of this subsection, then the following shall occur:

443 (A) The school principal or the principal's designee shall retain the student for the next
444 school year except as otherwise provided in this subsection;

445 (B) The school principal or the principal's designee shall notify in writing by first-class
446 mail the parent or guardian of the student and the teacher regarding the decision to
447 retain the student. The notice shall describe the option of the parent, guardian, or
448 teacher to appeal the decision to retain the student and shall further describe the
449 composition and functions of the placement committee as provided for in this

450 subsection, including the requirement that a decision to promote the student must be a
451 unanimous decision of the committee;

452 (C) If the parent, guardian, or teacher appeals the decision to retain the student, then
453 the school principal or the principal's designee shall establish a placement committee
454 composed of the principal or the principal's designee, the student's parent or guardian,
455 and the teacher of the subject of the assessment instrument on which the student failed
456 to perform at grade level and shall notify in writing by first-class mail the parent or
457 guardian of the time and place for convening the placement committee;

458 (D) The placement committee shall:

459 (i) Review the overall academic achievement of the student in light of the
460 performance on the end-of-grade assessment and the standards and criteria as adopted
461 by the local board of education and make a determination to promote or retain. A
462 decision to promote must be a unanimous decision and must determine that if
463 promoted and given accelerated, differentiated, or additional instruction during the
464 next year, the student is likely to perform at grade level as defined by the Office of
465 Student Achievement in accordance with Code Section 20-14-31 by the conclusion
466 of the school year; and

467 (ii) Prescribe for the student, whether the student is retained or promoted, such
468 accelerated, differentiated, or additional instruction as needed to perform at grade
469 level by the conclusion of the subsequent school year, prescribe such additional
470 assessments as may be appropriate in addition to assessments administered to other
471 students at the grade level during the year, and provide for a plan of continuous
472 assessment during the subsequent school year in order to monitor the progress of the
473 student;

474 (E) For students receiving special education or related services, the Individualized
475 Education Plan Committee shall serve as the placement committee; and

476 (F) The decision of the placement committee may be appealed only as provided for by
477 the local board of education or other public school governing body; and

478 (4)(A) When a student is determined to be significantly at risk of not attaining grade
479 level reading proficiency, as specified in subparagraph (A) of paragraph (1) of this
480 subsection, then the following shall occur:

481 (i) The parent or guardian of the student shall be notified in writing by first-class mail
482 by the school principal or the principal's designee regarding the determination that the
483 student has been determined to be significantly at risk of not attaining grade level
484 reading proficiency by the end of the first grade program, the student's updated tiered
485 reading intervention plan, and the possibility that the student might be retained at the
486 same grade level for the next school year;

487 (ii) The student shall be reassessed to determine if he or she is to be significantly at
488 risk of not attaining grade level reading proficiency by the end of the first grade
489 program; and

490 (iii) The student shall receive intensive reading intervention in accordance with Code
491 Section 20-2-153.1.

492 (B) When a student is determined to be significantly at risk of not attaining grade level
493 reading proficiency, as specified in subparagraph (A) of paragraph (1) of this
494 subsection, and continues to be significantly at risk of not attaining grade level reading
495 proficiency after provisions of subparagraph (A) of this paragraph are implemented,
496 then the following shall occur:

497 (i) The school principal or the principal's designee shall retain the student for the next
498 school year except as otherwise provided in this paragraph;

499 (ii) The school principal or the principal's designee shall notify in writing by
500 first-class mail the parent or guardian of the student regarding the decision to retain
501 the student. The notice shall describe the option of the parent or guardian to appeal
502 the decision to retain the student and shall further describe the composition and

503 functions of the placement committee as provided for in this paragraph, including the
504 requirement that a decision to promote the student must be a unanimous decision of
505 the committee;

506 (iii) If the parent or guardian appeals the decision to retain the student, then the
507 school principal or the principal's designee shall establish a placement committee
508 composed of the school principal or the principal's designee, the student's parent or
509 guardian, and the student's teacher and shall notify in writing by first-class mail the
510 parent or guardian of the time and place for convening the placement committee;

511 (iv) The placement committee shall:

512 (I) Review the overall academic achievement of the student and his or her progress
513 toward grade level reading proficiency and make a determination to promote or
514 retain. A decision to promote must be a unanimous decision and must determine
515 that if promoted and given intensive reading intervention in accordance with Code
516 Section 20-2-153.1 during the next year, the student is likely to perform at grade
517 level as defined by the Office of Student Achievement in accordance with Code
518 Section 20-14-31 by the conclusion of the school year; and

519 (II) Prescribe for the student, whether the student is retained or promoted, such
520 accelerated, differentiated, or additional instruction as needed to perform at grade
521 level by the conclusion of the subsequent school year, prescribe such additional
522 assessments as may be appropriate in addition to assessments administered to other
523 students at the grade level during the year, and provide for a plan of continuous
524 assessment during the subsequent school year in order to monitor the progress of the
525 student;

526 (v) For students receiving special education or related services, the Individualized
527 Education Plan Committee shall serve as the placement committee;

528 (vi) The decision of the placement committee may be appealed only as provided for
529 by the local board of education or other public school governing body; and

530 (vii) No student shall remain in the first grade program for more than two years.

531 (c) This Code section does not preclude the retention by the school principal or the
532 principal's designee of a student who performs satisfactorily on the end-of-grade
533 assessments specified in subparagraph (B), (C), or (D) of paragraph (1) of subsection (b)
534 of this Code section as provided for by the local board of education or other public school
535 governing body.

536 (d) This Code section does not create a property interest in promotion.

537 (e) The State Board of Education shall establish policies and procedures for
538 implementation of this Code section."

539 **SECTION 3-2.**

540 Said title is further amended in said part by revising Code Section 20-2-284, relating to
541 criteria for local boards of education and model placement and promotion policy, as follows:
542 "20-2-284.

543 (a) No later than July 1, ~~2003~~ 2026, each local board of education and other public school
544 governing body shall develop and adopt a placement and promotion policy in accordance
545 with the criteria established by the State Board of Education as provided in Code
546 Section 20-2-283 and consistent with the Georgia Academic Placement and Promotion
547 Policy.

548 (b) Except for those end-of-grade assessments specified in Code Section 20-2-283, the
549 placement and promotion policy as developed and adopted by each local board of
550 education and other public school governing body shall state how the end-of-grade
551 assessments administered under Code Section 20-2-281 for grades one through eight, and
552 assessments administered to determine grade level reading proficiency for grade one, will
553 be weighted or otherwise utilized by the school principal or the principal's designee in
554 determining the overall academic achievement of a student and an appropriate plan of

555 accelerated, differentiated, or additional instruction, placement, promotion, or retention of
556 a student.

557 (c) To assist each local board of education and other public school governing body, the
558 State Board of Education shall develop a model placement and promotion policy ~~which~~
559 ~~may be utilized by a local board of education."~~

560 **SECTION 3-3.**

561 Said title is further amended in said part by revising Code Section 20-2-285, relating to
562 timetable for implementation of policy, as follows:

563 "20-2-285.

564 The State Board of Education shall provide for a timetable of implementation of this Code
565 section and the Georgia Academic Placement and Promotion Policy which shall include:

566 (1) The third grade beginning with the 2003-2004 school year;

567 (2) The fifth grade beginning with the 2004-2005 school year; ~~and~~

568 (3) The eighth grade beginning with the 2005-2006 school year; and

569 (4) The first grade beginning with the 2027-2028 school year."

570 **PART IV**

571 **SECTION 4-1.**

572 This Act shall become effective upon its approval by the Governor or upon its becoming law
573 without such approval.

574 **SECTION 4-2.**

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