



2017 Legislative Summary

Compared to the last few years, the 2017 session kept a somewhat lower profile, but still had its fair share of twists, turns, frustrations, and bridge collapses.

Regarding the budget, state lawmakers agreed to almost everything Governor Deal recommended in January, including: a 2% pay raise for state employees and University System staffers; a 19% pay raise for child protective services workers; a 3% bonus for state government retirees. Additionally, the state will spend more than 2 billion on new schools, college buildings, roads and bridges, or on fixing the ones already built. HOPE scholars will get 3% bigger scholarships. The state will also increase how much is paid to doctors, dentists, nursing homes and others who treat the more than 1.5 million Georgians who get their health care from Medicaid.

After his Opportunity School District proposal failed on the ballot in November, Gov. Deal made his second move with [HB 338](#), or the First Priority Act, aimed at turning around low-performing schools. While initially filed without any dedicated source of funding, the legislature ultimately agreed to write it into the budget with about \$2.2 million. *See the First Priority Act section at the end of this summary for more specific information about HB 338.*

Another exciting issue was [SR 192](#), a proposed Constitutional amendment to change the local governance structure. It would have let voters in school districts across Georgia hold a referendum to decide whether they want their school district leader to be an elected politician and the local board appointed by a grand jury. Legislators had a lot of interest in this measure, but SR 912 failed to make it out of the House Education Committee.

Senate Chamber on Sine Die, 1:30 am



Hot Button Topics

Casinos

An attempt was made to establish 'destination resorts' with proceeds planned to benefit the HOPE scholarship. The momentum fizzled early, and the bill was pulled in February; however, you can bet we haven't seen the last of this kind of legislation.

Firearms

The legislature passed another campus carry bill (Deal vetoed one last year,) allowing anyone age 21 and up to carry a concealed handgun on campus with a state-issued permit. Lawmakers carved out a lot to convince Gov. Deal to sign [HB 280](#), including student housing, athletic facilities, on-campus preschools and buildings where high school-age students attend classes at some technical colleges.

Adoption

Everyone agrees that Georgia adoption laws need to be updated, and [HB 159](#), a bipartisan measure sponsored by state Rep. Bert Reeves looked promising. But on *sine die* a late-hour RFRA amendment to allow some private agencies to refuse to place children with same-sex couples kept the bill from making it through this session.

Medical Marijuana

By passing [SB 16](#) lawmakers expanded Georgia's medical marijuana law. It adds six conditions to Georgia's existing law including Alzheimer's, AIDS, peripheral neuropathy, autism, Tourette syndrome, and the painful skin disorder epidermolysis bullosa. (Sponsor Rep. Allen Peake has already filed another marijuana bill for next year.)

Sexual Assault on Campus

A large source of drama was Rep. Earl Ehrhart's [HB 51](#) seeking to change the way post-secondary schools investigate and punish allegations of sexual assault on college campuses. After being tabled and resurrected on the second-to-last day of the Session, the proposal ultimately failed.

Sanctuary Campuses

Rep. Earhart proved to have a taste for the spotlight by sponsoring [HB 37](#), which eliminates state funding from private colleges that adopt sanctuary policies for students who are in the country illegally. Despite many gatherings of protest at the Capitol building, the bill passed in the final days of the session.

Education Legislation Passed in 2017

[HB 86](#) Reporting Sex Trafficking

Those required to report suspected child abuse must also report signs of sex trafficking.

[HB 139](#) Financial Transparency in Schools

Department of Education must make available on its website specified school system information and school site budget and expenditures. Bill includes deadlines. School districts, schools, and state charters with a website must post in a prominent location a link to specified information on the Department of Education's website.

[HB 154](#): Dental Hygienists

In school settings, licensed dental hygienists may apply topical fluoride and perform the application of sealants and oral prophylaxis under general supervision, with written permission of the student's parent or guardian. Licensed dental hygienists may also, without prior written permission of the student's parent or guardian, provide oral hygiene instruction and counseling. School settings shall include only schools that are Title I schools under the federal Elementary and Secondary Education Act, schools in which at least 65 percent of the student population is eligible for free or reduced price lunch under federal guidelines, Head Start programs, and Georgia's Pre-K Program.

[HB 198](#) Flu Vaccine

Repeals sunset date for SHAPE Act (was HB 246); School districts must provide information on influenza vaccines and other information IF they provide information to parents and guardians of students in grades 6-12 on immunizations, infectious diseases, medications, or other school health issues.

[HB 224](#) Students of Military Families

Students of military families living in base housing may attend any school in local system determined to have capacity

[HB 237](#) Creates the Public Education Innovation Fund Foundation

Donors receive income tax credits; \$5 million cap; sunsets in three years

[HB 292](#) Firearms – Expanded Conceal Carry

Cleans up existing gun laws and make it easier for anyone declared ineligible for a weapons permit for mental health reasons to petition the court to regain that right.

[HB 359](#) Supporting and Strengthening Families Act

Creates a short-term power of attorney to delegate caregiving authority for a child under 18. Note that HB

331, the Caregiver Educational Consent Act, passed as part of HB 186. The two bills amend different code sections.

HB 425 Paper Assessments

Districts are strongly encouraged to provide administration of standardized assessments in paper-and-pencil format upon parental request; State Superintendent to develop guidelines suggesting a range of policies that districts are encouraged to adopt dealing with students who have opted out of assessment.

HB 430 Charter Schools

Based on recommendations from the Governor’s Education Reform Commission.

- The State Board and State Charter Schools Commission would jointly establish a code of principles and standards for authorizing charter schools.
- The State Board shall provide for the annual review of local boards by an independent party for adherence to the principles and standards.
- If a local board fails to meet the principles and standards for two consecutive years, its local charter(s) can transfer to the State Charters Commission.
- The State Board shall provide for or approve training for its staff and local board of education members on the principles and standards of charter school authorizers.
- Requires the district to give a proportional share of federal funding to the local charters and publish in a prominent place on the website the calculations of the earnings of the charter school.
- Provides for facility grants for charters, subject to appropriations.
- Defines unused facilities as educational facilities as defined in 20-2-260 for which the local board has not housed students for the previous two consecutive years.
- Local charters would have the right to a hearing before the local board before the charter is denied the use of an unused facility and have the right to appeal an adverse decision.

HB 437 Agricultural Education Advisory Commission

Re-establishes the Agricultural Education Advisory Commission, that was established in 2006 with a sunset. This commission is re-created without a sunset provision and commission members will serve two year terms coinciding with legislative terms.

SB 104 Upskirting Bill

Videoring or photographing up the skirt of someone without their permission is a felony; posting notice for sex trafficking hotline does not appear to apply to schools based on definition of government entity in the bill.

SB 117 Cybersecurity

Creates a study committee on cybersecurity for state agencies.

SB 149 Georgia Peace Officers

Standards & Training Council must provide a 40 hour training course for school resource officers (SROs); it is a best practice for SROs to complete it.

RESOLUTIONS

HR 57 House Elementary & Secondary School Nutrition Programs Study Committee

HR 284 House State & Local Construction Management Study Committee

HR 643 House Study Committee on Civics Education in Georgia

HR 608 Study Committee on Georgia Public Schools Calendar

HR 686 House Study Committee on Equitable Local Funding

SR 95 Constitutional Amendment for November 2018 ballot

- Amends provisions for a city and county calling for an e-SPLOST referendum and distributing the revenue from it

SR 222 Senate Study Committee on Special Tax Exemptions

SR 392 Senate Study Committee on Rural Georgia

SR 454 Senate Cyber Security Education Study Committee

SB 186 Hope Eligibility and Caregiver Education Consent Act

Students who earned high school diploma through dual coursework are eligible for HOPE grant; Caregiver Education Consent Act (was HB 331) defines fictive kin and kinship caregiver and provides for such a person to give legal consent for a child to receive educational and medical services.

SB 201 Family Sick Leave

Employers with more than 25 employees must allow them to use earned sick leave for the care of immediate family members; sunsets in three years.

SB 206 Hearing Aids Coverage

Insurance coverage for children's hearing aids.

SB 211 Assessments

State Department of Education shall select assessments in reading and math for grades 1 and 2 after consulting with local districts using reliable research based formative assessments (\$2.5 million in budget for this). State Board is to conduct a comparability study of nationally recognized assessments such as ACT, SAT, and ACCUPLACER to determine how well aligned they are to our standards and initiate it no later than July 1, 2017 (\$250,000 in budget for this).

- Local districts must consider dual enrollment students for valedictorian and salutatorian status unless they transferred after their sophomore year and have taken no courses on campus (was HB 114).

SB 258 School Board Eligibility

Anyone who has had public money but has not returned it or accounted for the use of it is not eligible to run for school board (or a municipal office; already applies to counties.)

Bills Not Passed - Carry Over Into 2018 Session

HB 32: Prohibit Sexual Contact Between School Employees & Students

Would make it a crime for any employee of a district to have sexual contact with a student.

HB 77: Mental Health Training Materials

Relating to student health in elementary and secondary education, so as to provide for the development of a list of training materials in mental health, behavioral disabilities, and learning disabilities; to provide that no cause of action is created; to provide that no duty of care is created.

HB 200: Sunscreen

Would authorize students to carry and self-administer sunscreen (and require a local board policy) because "the General Assembly hereby finds and declares that many children in Georgia are exposed to excessive ultraviolet radiation because school policies prevent the use of sunscreen at school and in school sponsored activities."

HB 217: Income Tax Credits

Increasing the cap on income tax credits for donations to student scholarship organizations.

HB 234: Rapid Flash Beacons In Crosswalks

HB 273: Recess

Requiring each local board to schedule a daily recess for students in grades K-5 of at least 30 minutes of supervised, unstructured activity time, preferably outdoors beginning with the 2017-18 school year.

SB 29: Lead Contamination Testing

To require testing for lead contamination in child care learning centers.

SB 30: Sustainable Community School Operational Grants

Failed to make it out of House Rules, was attached to the charter school bill then stripped off.

SB 68 Individual Student Education Account Act

Would establish a “savings account” composed of state funds on behalf of an eligible student which may be used for qualifying educational expenses, including tuition, fees, and textbooks at a private school; private tutoring; curriculum materials; contracted services by a public school or district; educational services for students with disabilities; and future postsecondary education expenses. Would require parents to sign an agreement to provide an education for the student in at least the core subjects at a non-public school and to use the funds only as allowed by law. Would phase the voucher program in over a three year period beginning with the 2017-18 school year.

SB 77: Raise Mandatory Education Age

Would raise age of mandatory education from 16 to 17.

SB 149: School Resource Officers

Would require any person assigned as a school resource officer on or after January 1, 2018 to successfully complete a training course for school resource officers. Persons will have six months from the date of initial assignment to complete this training.

SB 150: Loitering at or Disrupting Schools

Code of conduct for peace officers and school officials; least coercive methods necessary.

SB 151: Local Boards & Civil Actions.

Provides that local school boards can use public funds for fees related to civil actions.

SB 152: Alternative Education No More Than 2 Semesters

SB 188: Psychotropic Medications

Would require local boards of education to adopt a policy that would prohibit school personnel from denying a student access to programs or services because the parent or guardian has refused to place a student on psychotropic medication. Would also prevent school personnel from compelling a parent to place a student on psychotropic medication.

SB 235: Deantre Gregory Turman Act

Strongly encouraging youth athletes participating in gridiron football be equipped with and wear a helmet with at least a four star rating on the Virginia Tech Helmet Ratings Scale.

The First Priority Act (aka HB 338 aka Plan B - *passed*)

- A Chief Turnaround Office (CTO) would be appointed by the State Board and report directly to them.
- The CTO will recommend personnel to serve as turnaround coaches for State Board approval. The coaches will assist schools identified as in the greatest need of help with ongoing assistance and input.
- Coaches will be assigned to one or more schools and shall assist in creating local collaborations to address personal and community conditions impacting student achievement.
- The schools will be identified based on the number of years they have received “an unacceptable rating and any other factors deemed appropriate by the Chief Turnaround Officer.”
- Local boards can amend their flexibility contracts to agree to receive assistance from the state. Otherwise, the State Board has up to 60 days to implement one or more of the interventions in current law.
- Local boards that have no flexibility contract can sign an intervention contract to agree to receive assistance or the State Board will immediately implement one or more of the interventions in current law.
- Within 90 days of entering into the contract, a turnaround coach, RESA personnel, and possibly a third party provider shall conduct a comprehensive evaluation, make recommendations, and help develop an intensive school improvement plan.
- After 2 years, if the school is not improving, there are ten possible interventions including continuing the implementation of the plan.
- Before the implementation of any intervention, the local board can request a hearing before the State Board to show why the proposed intervention should not be implemented or that an alternative is better.

- An Education Turnaround Advisory Council would report to the State Board their recommendations on the qualifications and method of identifying and selecting the CTO. They could also submit names of potential candidates for CTO and turnaround coaches. The Council would be made up of the executive directors or their designee(s) of GSBA, GSSA, PAGE, GAE, and the President of Georgia PTA.
- A Joint Study Committee on the Establishment of a State Accreditation Process is also created in the bill. The Committee shall also consider the possibility of establishing a school board review commission.
- After five or more consecutive years of one-half or more of a district's schools receiving an unacceptable rating, the school board can be removed using the same procedures as are currently in place using the accreditation status as the trigger. If the local board is under a contract amendment or intervention contract and is in substantial compliance with the contract, this is stayed.

The CONNECT Act (SB 3)

Did not pass in 2017, but still alive for next year

Amends several code sections related to career education, identification of critical needs fields of study, focused programs of study, awarding high school credit based on proficiency, use of capital outlay funds, assessments, competitive grant program, reform grants; and adds a new code section related to industry credentialing

- Builds on the work of the past few years to establish work-based learning programs, industry certification, and dual enrollment in critical needs fields.
- State Board shall prescribe a minimum course of study in career education in grades 6-12 (changed from K-12).
- Adds description of "career oriented learning experiences" to include but not be limited to participation in work based learning programs such as internships, apprenticeships, cooperative education, or employability skill development.
- Adds requirement that the Department of Education include the Technical College System of Georgia and the University System in developing the state models and industry required content standards for the seventeen listed focused programs of study.
- Adds energy to the focused programs of study.
- Requires the Department of Education and the Technical College System of Georgia to identify and create a list of approved industry credentials which shall be made available on the websites of those two agencies prior to the beginning of the annual competitive grant application process in 20-2-260.
- Lowers the age for participation in work based learning programs from 16 to 15.
- Adds career, technical, and agricultural education labs and facilities to support industry credentialing to the definition of "educational facilities".
- Amends the currently required needs assessment and FTE projections to include properties owned by the Technical College System for the purposes of a college and career academy.
- Requires the State Board to establish an annual competitive grant program for renovation, modernization, replacement, or purchase of equipment for the enhancement of career, technical, and agricultural education programs in educational facilities that align with industry credentials on the list created under 20-2-159.1 OR have been linked to an occupation that addresses a critical local or statewide workforce need, is identified as part of the skilled trade industry OR Linked to an occupation that is identified in an emerging field or technology.
- In awarding the grants, priority must be given to local programs that demonstrate partnerships representing local business and industry and to postsecondary programs offering postsecondary opportunities linked to industry need.
- Amends items for which the State Board must request separate appropriations to include construction projects resulting from agreement between two or more local school systems and adds equipment grants to enhance industry credentialing pursuant to the competitive grant listed above.
- Amends 20-2-327, relating to counseling and development of individual graduation plans.

- Adds career demand inventories to required counseling/advisement for students in grades 6-8.
- Annual guidance, advisement, and counseling provided to high school students shall include information regarding occupations, degrees, industry credentials, certifications, and technical skills; work-ready skills in demand by Georgia employers through the department's career pipeline website; and other career related inventories made available through the Technical College System of Georgia or the Office of Student Achievement.
- Individual graduation plan must include any applicable industry credentialing that pertains to the student's focused program of study in addition to the current requirements.
- State Board in collaboration with the Technical College System of Georgia shall facilitate and encourage industry credentialing for career, technical, and agricultural education programs utilizing existing career pathways and individual graduation plans.
- Local school systems are authorized and encouraged to align competency-based career education along with enhanced work based learning experiences as provided for in 20-2-161.2 to facilitate and make available to students opportunities to receive industry credentialing in critical and emerging occupations in Georgia.
- No later than December 31, 2017, and annually thereafter, the Department of Education shall produce a report identifying the industry credentialing attainment levels for the previous calendar year including the current and projected regional business and industry needs to establish annual goals and strategies to increase attainment rates of industry credentialing, including the development of additional industry credentialing to enhance current industry certified programs.
- Requirements for competitive reform grants in high schools shall encourage alignment with industry credentialing including postsecondary partnerships between the Technical College System of Georgia and college and career academies and other career, technical, and agricultural education programs to allow for greater attainment of industry credentialing.
- State Board shall develop criteria for reform grants for high schools that enhance career, technical, and agricultural education programs to allow for greater attainment of industry credentialing including postsecondary partnerships between the Technical College System of Georgia and college and career academies and other career, technical, and agricultural education programs in high schools.
- The grants may also be used to require that career, technical, and agricultural education teachers participate in industry credentialing training to teach courses that lead to industry credentialing.

Looking Forward

2018 Election Outlook

Rep. Wendell Willard (R-51) will not be seeking re-election.
Rep. John Pezold (R-133) rumored to not be seeking re-election.

Formally Announced for 2018

(as of early April 2017)

Secretary of State Brian Kemp will be running for Governor.
Rep. Buzz Brockway (R-102) will be running for Secretary of State.

Considering Higher Office in 2018

For Governor:

Lt. Gov. Casey Cagle
Rep. Stacey Evans (D-42)
Rep. Stacey Abrams (D-89)

For Lieutenant Governor:

Sen. David Shafer (R-48)
Sen. Butch Miller (R-49)
Rep. Geoff Duncan (R-26)

For Secretary of State:

Sen. Hunter Hill (R-6)
Rep. Brad Raffensperger (R-50)

Others:

Sen. Michael Williams (R-27)
Sen. Burt Jones (R-25)
Sen. Josh McKoon (R-29)

Keep Up with the Action

Nathan Deal has until May 9th to sign and/or veto all of the legislation passed this session. Bills that he does not sign and does not veto automatically become law after that day. **Click here** to follow which pieces of legislation have been graced by the Governor's pen.