

Senators Payne of the 54th, Watson of the 11th, and Dixon of the 45th offered the following amendment 1:

1 *Amend the House substitute to SB 169 (LC 49 1887S) by replacing lines 1 through the end*  
 2 *with the following:*  
 3 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
 4 elementary and secondary education, so as to provide for reducing the minimum required  
 5 millage rate or effective millage rate from 14 mills to 10 mills for equalization grants; to  
 6 provide for 25 percent reduction of equalization grant awards for local school systems whose  
 7 millage rate or effective millage rate does not meet the minimum requirement; to require  
 8 annual reporting by the Department of Education; to revise definitions; to repeal a definition;  
 9 to provide for limits on the extension of hearing dates for student discipline tribunals; to  
 10 require local school systems to provide appropriate grade-level instructional materials to any  
 11 student subject to in-school suspension, short-term suspension, or long-term suspension  
 12 pending completion of the student discipline tribunal; to provide for construction; to provide  
 13 for related matters; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
 17 secondary education, is amended in Code Section 20-2-165, relating to equalization grants,  
 18 annual calculations, and allocation, by repealing paragraph (5.1) of subsection (a), revising  
 19 paragraph (9) of subsection (a), and adding two new subsections to read as follows:

20 "(9) 'Qualified local school system' is defined as any local school system:

21 (A) Having an assessed valuation per weighted full-time equivalent count for the year  
22 of the digest which is below the guaranteed valuation;

23 (B) Having an effective millage rate greater than the millage rate applied to calculate  
24 the local five mill share pursuant to subsection (a) of Code Section 20-2-164; and

25 (C) ~~Beginning July 1, 2015, having a millage rate or an equivalent millage of at least~~  
26 ~~12 mills; beginning July 1, 2016, having a millage rate or an equivalent millage of at~~  
27 ~~least 12 1/2 mills; beginning July 1, 2017, having a millage rate or an equivalent~~  
28 ~~millage of at least 13 mills; beginning July 1, 2018, having a millage rate or an~~  
29 ~~equivalent millage of at least 13 1/2 mills; beginning July 1, 2019, and thereafter,~~  
30 ~~having a millage rate or an equivalent millage of at least 14 mills July 1, 2024, and~~  
31 ~~thereafter, having a millage rate or an effective millage rate of at least 10 mills."~~

32 "(d.1) If, after a local school system's equalization grant has been calculated for the  
33 ensuing fiscal year as provided in subsection (b) of this Code section, such school system  
34 decreases the actual or effective millage levied against its digest for maintenance and  
35 operation to an amount below the minimum amount required in subparagraph (a)(9)(C) of  
36 this Code section, a midterm adjustment in such school system's equalization grant shall  
37 be made such that the total equalization grant amount awarded to such school system is  
38 reduced to an amount equal to 75 percent of the initial equalization grant amount."

39 "(f) Each year, the Department of Education shall prepare a report of each local school  
40 system that received an equalization grant the previous fiscal year. Such report shall  
41 include for each local school system the initial equalization grant amount, the midterm  
42 adjustment to the equalization grant, and the total amount of equalization grants received  
43 in the previous ten years. Such report shall also identify each local school system that  
44 received an equalization grant during the previous fiscal year while having a millage rate  
45 or an effective millage rate of less than 10 mills for the period of time upon which the  
46 calculation of such equalization grant was based. Each year by September 1, the  
47 Department of Education shall provide such report to the chairpersons of the House

48 Committee on Appropriations, the Senate Appropriations Committee, the House  
49 Committee on Education, the Senate Education and Youth Committee, the director of the  
50 Office of Planning and Budget, the director of the Senate Budget and Evaluation Office,  
51 and the director of the House Budget and Research Office."

52 **SECTION 2.**

53 Said chapter is further amended in Code Section 20-2-754, relating to procedures to be  
54 followed by disciplinary officer, panel, or tribunal in public schools, and review, is amended  
55 by revising subsection (b) as follows:

56 "(b) A disciplinary officer, panel, or tribunal of school officials appointed as required by  
57 Code Section 20-2-753 shall, in addition to any other requirements imposed by rules and  
58 regulations which may have been promulgated pursuant to Code Section 20-2-752, ensure  
59 that:

60 (1) All parties are afforded an opportunity for a hearing after reasonable notice served  
61 personally or by mail. This notice shall be given to all parties and to the parent or  
62 guardian of the student or students involved and shall include a statement of the time,  
63 place, and nature of the hearing; a short and plain statement of the matters asserted; and  
64 a statement as to the right of all parties to present evidence and to be represented by legal  
65 counsel;

66 (2) The hearing is held no later than ten school days after the beginning of the suspension  
67 unless the school system and parents or guardians mutually agree to an extension, in  
68 which case the school system shall set a new date and time of the hearing that shall not  
69 occur more than 15 school days after the beginning of the suspension. The hearing may  
70 be held later than 15 school days after the beginning of the suspension upon a written  
71 request by a parent or guardian and agreement by the school system;

72 (3) All parties are afforded an opportunity to present and respond to evidence and to  
73 examine and cross-examine witnesses on all issues unresolved;

74 (4) Any teacher who is called as a witness by the school system shall be given notice no  
75 later than three days prior to the hearing; ~~and~~

76 (5) A verbatim electronic or written record of the hearing shall be made and shall be  
77 available to all parties; and

78 (6) The school system shall provide appropriate grade-level instructional materials to any  
79 student awaiting completion of the hearing provided for in this subsection. Nothing in  
80 this paragraph shall be construed to infringe on any right provided to students with  
81 Individualized Education Programs pursuant to the federal Individuals with Disabilities  
82 Education Act, Section 504 of the federal Rehabilitation Act of 1973, or the federal  
83 Americans with Disabilities Act of 1990."

84 **SECTION 3.**

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