

The House Committee on Education offers the following substitute to HB 762:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to the "Quality Basic Education Act," so as to provide for annual age-appropriate
3 sexual abuse and assault awareness and prevention education in kindergarten through
4 grade 9; to provide that professional learning may include programs on sexual abuse and
5 assault awareness and prevention; to provide that in-service training shall include programs
6 on sexual abuse and assault awareness and prevention for certain professional personnel; to
7 provide for related matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the
11 "Quality Basic Education Act," is amended by revising Code Section 20-2-143, relating to
12 sex education and AIDS prevention instruction, implementation, and student exemption, as
13 follows:

14 "20-2-143.

15 (a) Each local board of education shall prescribe a course of study in sex education and
16 AIDS prevention instruction for such grades and grade levels in the public school system
17 as shall be determined by the State Board of Education. Such course of study shall
18 implement either the minimum course of study provided for in subsection (b) of this Code
19 section or its equivalent, as approved by the State Board of Education. Each local board
20 of education shall be authorized to supplement and develop the exact approach of content
21 areas of such minimum course of study with such specific curriculum standards as it may
22 deem appropriate. Such standards shall include instruction relating to the handling of peer
23 pressure, the promotion of high self-esteem, local community values, the legal
24 consequences of parenthood, and abstinence from sexual activity as an effective method
25 of prevention of pregnancy, sexually transmitted diseases, and acquired immune deficiency
26 syndrome.

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27 (b) The State Board of Education shall prescribe a minimum course of study in sex
 28 education and AIDS prevention instruction which may be included as a part of a course of
 29 study in comprehensive health education for such grades and grade levels in the public
 30 school system as shall be determined by the state board and shall establish standards for
 31 its administration. The course may include instruction concerning human biology,
 32 conception, pregnancy, birth, sexually transmitted diseases, and acquired immune
 33 deficiency syndrome. The course shall include instruction concerning the legal
 34 consequences of parenthood, including, without being limited to, the legal obligation of
 35 both parents to support a child and legal penalties or restrictions upon failure to support a
 36 child, including, without being limited to, the possible suspension or revocation of a
 37 parent's driver's license and occupational or professional licenses. The course shall also
 38 include annual age-appropriate sexual abuse and assault awareness and prevention
 39 education in kindergarten through grade 9. A manual setting out the details of such course
 40 of study shall be prepared by or approved by the State School Superintendent in
 41 cooperation with the Department of Public Health, the State Board of Education, and such
 42 expert advisers as they may choose.

43 (c) The minimum course of study to be prescribed by the State Board of Education
 44 pursuant to subsection (b) of this Code section shall be ready for implementation not later
 45 than July 1, 1988. Each local board shall implement either such minimum course of study
 46 or its equivalent not later than July 1, 1989. Any local board of education which fails to
 47 comply with this subsection shall not be eligible to receive any state funding under this
 48 article until such minimum course of study or its equivalent has been implemented.

49 (d) Any parent or legal guardian of a child to whom the course of study set forth in this
 50 Code section is to be taught shall have the right to elect, in writing, that such child not
 51 receive such course of study."

52 **SECTION 2.**

53 Said article is further amended in Code Section 20-2-200, relating to the regulation of
 54 certificated professional personnel by the Professional Standards Commission, by revising
 55 paragraph (4) of subsection (b) as follows:

56 "(4) Requirements for certification renewal shall be established to foster ongoing
 57 professional learning, enhance student achievement, and verify standards of ethical
 58 conduct; provided, however, that from July 1, 2010, through June 30, 2017, no
 59 professional learning requirements shall be required for certificate renewal for clear
 60 renewable certificates for certificated personnel or for certificate renewal for
 61 paraprofessionals. Such requirements may include, but are not limited to, professional
 62 learning related to school improvement plans or the applicant's field of certification and

63 background checks. Such requirements may also include participating in or presenting
 64 at in-service training programs on sexual abuse and assault awareness and prevention.
 65 Should the Professional Standards Commission include a requirement to demonstrate
 66 computer skill competency, the rules and regulations shall provide that a certificated
 67 educator may elect to meet the requirement by receiving satisfactory results on a test in
 68 basic computer skill competency. If a certificated educator elects to take such test
 69 pursuant to this paragraph, the local school system by which such educator is employed
 70 shall make available the opportunity to take the test on site at the school in which the
 71 educator is assigned. Each principal shall identify an administrator on site at each school
 72 to serve as a proctor for individuals taking the test pursuant to this paragraph. Individuals
 73 holding a valid Georgia life certificate or a valid National Board for Professional
 74 Teaching Standards certificate shall be deemed to have met state renewal requirements
 75 except those related to background checks."

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SECTION 3.

77 Said article is further amended in Code Section 20-2-201, relating to specific course
 78 requirements, in-service or continuing education, and online offerings, by revising
 79 subsection (b) as follows:

80 "(b) Each local unit of administration shall be required to provide all professional
 81 personnel certificated by the Professional Standards Commission 12 clock hours of
 82 in-service or continuing education in each calendar year, or meet requirements of the
 83 Southern Association of Colleges and Schools. Such in-service programs shall be
 84 developed by the local unit of administration in conjunction with such agencies as regional
 85 educational service agencies, colleges and universities, and other appropriate organizations.
 86 These programs shall be designed to address identified needs determined by appropriate
 87 personnel evaluation instruments. These programs shall also focus on improving the skills
 88 of certificated personnel that directly relate to improving student achievement, as reflected
 89 in the revised certification renewal rules established by the Professional Standards
 90 Commission pursuant to paragraph (4.1) of subsection (b) of Code Section 20-2-200
 91 regarding the impact of professional learning on student achievement. These programs
 92 shall also include in-service training programs on sexual abuse and assault awareness and
 93 prevention for professional personnel that will be providing instruction in annual
 94 age-appropriate sexual abuse and assault awareness and prevention education in
 95 kindergarten through grade nine pursuant to subsection (b) of Code Section 20-2-143.
 96 Records of attendance shall be maintained by local units of administration and shall be
 97 monitored by appropriate Department of Education staff."

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SECTION 4.

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