

House Bill 778

By: Representatives England of the 116<sup>th</sup>, Dickey of the 140<sup>th</sup>, Jasperse of the 11<sup>th</sup>, Lumsden of the 12<sup>th</sup>, LaRiccia of the 169<sup>th</sup>, and others

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 provide for the programmatic transfer of the career, technical, and agricultural education  
3 program from the State Board of Education to the State Board of the Technical College  
4 System of Georgia; to provide for the redesignation of the sole state agency to receive related  
5 federal funds; to provide for related matters; to provide for an effective date; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by  
10 revising subsection (a) of Code Section 20-2-14, relating to acceptance of donations, grants,  
11 and federal aid for vocational or other educational purposes, as follows:

12 "(a) The State Board of Education is authorized to receive, accept, hold, and operate, on  
13 behalf of the state, donations, grants, gifts, devises, and bequests of real, personal, and  
14 mixed property of every kind and character; to lease, manage, and otherwise administer  
15 such property for the use, benefit, and behalf of the public school system of Georgia; and  
16 to accept on behalf of the state any funds which may be now or hereafter provided for, or  
17 be, or hereafter become available or allotted to the state by virtue of any appropriation by  
18 Congress or under any governmental regulation, order, or declaration of policy for ~~either~~  
19 ~~vocational or other~~ educational purposes, other than vocational purposes, conducted either  
20 in or out of school, ~~in connection with, or as an incident of, any program of vocational~~  
21 ~~education now or hereafter established as essential to national defense either for industrial~~  
22 ~~or agricultural occupations, and whether as part of a federal or a state program or a~~  
23 ~~combination of both, in furtherance of vocational educational objectives generally.~~ The  
24 state board is authorized to acquire and hold title for and on behalf of the state for the  
25 benefit of the public school system thereof any equipment or supplies, both permanent and  
26 expendable, that may be necessary for such purposes; to act as the contracting agent

27 therefor and the custodian thereof; to delegate, in whole or in part, any function or activity  
 28 enumerated or contemplated under this Code section; to contract with and cooperate with  
 29 any department, agency, or instrumentality, either of the state or of the United States in any  
 30 manner which shall be requisite or incident to this Code section and which in the judgment  
 31 of the state board may be deemed proper for the carrying into effect of the purposes of this  
 32 article; and to use so much of the public school fund or other funds appropriated by the  
 33 General Assembly as may be necessary to match any such federal aid or to meet the terms  
 34 of any past, present, or future grant to the state or any local school unit whereby the state  
 35 or any local school unit, respectively, may be enabled to derive full advantage of the  
 36 benefits thereof to the state as contemplated under the terms and provisions of any such  
 37 grant for educational purposes."

### 38 SECTION 2.

39 Said title is further amended by revising Code Section 20-2-140, relating to the establishment  
 40 of uniformly sequenced content standards by the State Board of Education, as follows:

41 "20-2-140.

42 (a) The State Board of Education shall establish uniformly sequenced content standards  
 43 that each student is expected to master prior to completion of the student's public school  
 44 education. The state board shall adopt content standards for students in kindergarten  
 45 through grade 12; provided, however, that the State Board of the Technical College System  
 46 of Georgia, in consultation with the State Board of Education and the Board of Regents of  
 47 the University System of Georgia, shall establish content standards for career, technical,  
 48 and agricultural education courses, which shall be adopted by the State Board of Education.

49 Each local unit of administration may expand and enrich the content standards to the extent  
 50 it deems necessary and appropriate for its students and communities. Each local school  
 51 system shall adopt its own curriculum which shall include appropriate instruction in the  
 52 content standards.

53 (b) The State Board of Education, working with the Board of Regents of the University  
 54 System of Georgia and the State Board of the Technical College System of Georgia, shall  
 55 establish college and career readiness standards to demonstrate competency in reading,  
 56 writing, and mathematics aligned with the content standards adopted by the state board  
 57 pursuant to subsection (a) of this Code section with the level of performance necessary to  
 58 meet college-readiness standards in the state's technical colleges, community colleges, state  
 59 colleges, and universities and in other advanced training programs.

60 (c) The State Board of the Technical College System of Georgia shall require its  
 61 institutions to accept core coursework completed by high school students for purposes of  
 62 admission into its institutions."

63

**SECTION 3.**

64 Said title is further amended by revising paragraph (4) of subsection (b) of Code Section  
65 20-2-151, relating to general and career education programs, purpose, and authorized  
66 programs, as follows:

67 "(4)(A) It is the policy of this state that the primary purposes of the high school  
68 programs shall be to prepare students for the continuation of their education beyond  
69 high school and for entry into their chosen career fields as well as to prepare them to  
70 take their places in society as young adults. The following high school programs for  
71 grades nine, ten, 11, and 12 are authorized for purposes of funding under this article:

72 (i) The high school education program; and

73 (ii) The career, technical, and agricultural education laboratory program.

74 (B) As a reflection of the reduced teacher-student ratios and more extensive material  
75 and equipment needed for effective laboratory courses compared to courses with no or  
76 only limited laboratory experiences, the career, technical, and agricultural education  
77 laboratory program shall be funded at a higher level than the high school general  
78 education program. ~~The state board~~ State Board of the Technical College System of  
79 Georgia, in consultation with the State Board of Education, shall adopt criteria which  
80 courses must meet in order to qualify for the career, technical, and agricultural  
81 education laboratory program."

82

**SECTION 4.**

83 Said title is further amended by revising Code Section 20-2-159.3, relating to academic core  
84 standards to be embedded in career, technical, and agricultural education courses, as follows:

85 "20-2-159.3.

86 (a) The content standards established by the State Board of the Technical College System  
87 of Georgia and adopted by the State Board of Education for career, technical, and  
88 agricultural education courses pursuant to Code Section 20-2-140 shall include embedded  
89 standards in academic core subject areas, as appropriate. The State Board of the Technical  
90 College System of Georgia shall align career, technical, and agricultural education content  
91 standards with career pathways and shall develop advanced level courses for career  
92 pathways that meet postsecondary requirements for acceptance of credit at the  
93 postsecondary level. In establishing such content standards, ~~the state board~~ State Board of  
94 the Technical College System of Georgia, working with the Board of Regents of the  
95 University System of Georgia, shall ~~work to~~ ensure that the coursework meets  
96 postsecondary requirements for acceptance of credit for such coursework at the  
97 postsecondary level in institutions under both the State Board of the Technical College  
98 System of Georgia and the Board of Regents of the University System of Georgia. Such

99 courses shall be taught by a highly qualified teacher in the academic content and trained  
 100 or experienced in contextualized learning using project based methods; by a highly  
 101 qualified career, technical, and agricultural education teacher who has completed a  
 102 state-approved training program to strengthen academic content and has passed a  
 103 state-approved exam for demonstrating mastery of academic content; or by a team made  
 104 up of a highly qualified teacher in the academic content and a highly qualified career,  
 105 technical, and agricultural education teacher working together to teach the course.

106 (b) Local school systems and individual charter schools may develop and implement  
 107 career, technical, and agricultural courses with embedded standards in academic core  
 108 subjects areas, including, but not limited to, English, language arts, science, social studies,  
 109 and mathematics.

110 (c) For an academic core subject area for which an end-of-course assessment has been  
 111 adopted pursuant to Code Section 20-2-281, students shall be given the opportunity to take  
 112 such end-of-course assessment upon completion of the career, technical, and agricultural  
 113 education course that includes embedded standards in such academic core subject area,  
 114 unless such student has already passed such end-of-course assessment.

115 (d) Students who successfully complete a course in career, technical, and agricultural  
 116 education that includes embedded standards in academic core subject areas, as adopted or  
 117 approved by the state board, shall receive course credit for both the career, technical, and  
 118 agricultural education course as well as for the academic core coursework embedded in  
 119 such course.

120 (e) The guidelines shall ~~limit the number of academic credits earned through career,~~  
 121 ~~technical, and agricultural education courses for any student to three credits and shall~~  
 122 ensure acceptance of such credits for purposes of admission into a postsecondary  
 123 institution. Further, such a credit shall may ~~count only once~~ toward high school diploma  
 124 requirements ~~unless the course requires expanded time to cover the~~ for both academic  
 125 content and career, technical, and agricultural education content if found in both the  
 126 academic course and the career, technical, and agricultural education course."

## 127 SECTION 5.

128 Said title is further amended by revising subsection (c) of Code Section 20-2-159.4, relating  
 129 to policies and guidelines for awarding units of high school credit based on demonstrated  
 130 proficiency, as follows:

131 "(c)(1) The state board shall identify assessments, including various commercial  
 132 assessments, for immediate use for students to demonstrate subject area competency,  
 133 which may include, but not be limited to:

134 (1)(A) Advanced placement exams;

135 ~~(2)(B)~~ ACT course assessment;

136 ~~(3)~~ Industry-specific certificates and credentials for career, technical, and agricultural

137 education courses;

138 ~~(4)(C)~~ College Level Examination Program (CLEP) exams; and

139 ~~(5)(D)~~ Nationally recognized foreign language performance assessments.

140 (2) The State Board of the Technical College System of Georgia shall identify

141 assessments for immediate use for students to demonstrate subject area competency for

142 industry-specific certificates and credentials for career, technical, and agricultural

143 education courses. For purposes of this paragraph, assessments may include commercial

144 assessments or participation and satisfactory completion in contests; career development

145 events; or individual career, technical, and agricultural education projects.

146 (3) The ~~state board~~ State Board of Education shall establish a process for reviewing and

147 approving performance based assessments developed commercially, by the state, or by

148 a local school system. Initially, the ~~state board~~ State Board of Education shall limit the

149 number of credits earned ~~through~~ through such educational options to three credits per

150 student until the practice is proven to yield student outcomes at least equivalent to those

151 found in standard seat-time courses. The policy shall ensure that credit for demonstrated

152 proficiency is reported on student transcripts in the same way that seat-time credit is

153 recorded. The ~~state board~~ State Board of Education shall review such policy after three

154 years to determine if student outcomes from these educational options are equivalent to,

155 if not better than, student outcomes in traditional courses."

156 **SECTION 6.**

157 Said title is further amended by adding a new subsection to Code Section 20-2-161, relating

158 to the Quality Basic Education Formula, to read as follows:

159 "(e.1) All funds earned pursuant to paragraph (9) of subsection (b) of this Code section

160 shall be transferred by the State Board of Education to the State Board of the Technical

161 College System of Georgia pursuant to a memorandum of understanding between the State

162 Board of Education and the State Board of the Technical College System of Georgia. The

163 State Board of the Technical College System of Georgia shall transfer 100 percent of such

164 funds to local boards of education and to state charter schools pursuant to a memorandum

165 of understanding with each local board of education and state charter school. Each local

166 board of education and state charter school shall be required to meet all standards

167 established by the State Board of the Technical College System of Georgia in order to

168 receive such funds."

169 **SECTION 7.**

170 Said title is further amended by revising subsection (b) of Code Section 20-2-161.2, relating  
 171 to work based learning programs, legislative intent, participation, standards, coordination,  
 172 and funding, as follows:

173 "(b) Any student aged 16 or over in any public school in this state may enroll in a work  
 174 based learning program which is offered at that public school and which is approved for  
 175 secondary credit by the department. Such student shall be granted release time from the  
 176 public school to work as a student learner for any business or governmental enterprise  
 177 which is approved by the local work based learning coordinator as a qualified employer  
 178 pursuant to this Code section and work based learning program guidelines established by  
 179 the department. A student shall receive secondary credit for such work based learning only  
 180 under the conditions established by the department. The department is authorized to  
 181 establish work based learning programs and guidelines to assist local school systems in  
 182 operating such programs and to promulgate such policies, standards, procedures, criteria,  
 183 and administrative requirements as may be necessary to implement the program by rules  
 184 and regulations. The work based learning programs established pursuant to this Code  
 185 section may include, but not be limited to, employability skill development, service  
 186 learning, cooperative education, internships, and youth apprenticeships, in accordance with  
 187 the requirements of the Technical College System of Georgia. The department shall  
 188 collaborate with the Department of Labor and the Technical College System of Georgia in  
 189 developing such policies and procedures. The department's work based learning programs  
 190 shall include but not be limited to the following:

- 191 (1) A detailed training agreement and training plan between employer and student that  
 192 identifies specific work tasks that will develop workplace competency;
- 193 (2) A minimum of one unit of credit in a career pathway course related to the work based  
 194 learning placement;
- 195 (3) A minimum number of hours of on-the-job training as required in the department's  
 196 guidelines for awarding secondary credit;
- 197 (4) On-site evaluation of the student's performance;
- 198 (5) Training remediation as necessary at the school site;
- 199 (6) A broad range of skills but shall be focused on skills related to the student's career  
 200 pathway;
- 201 (7) Development of materials by the business, industry, and labor community in  
 202 conjunction with the department to promote the awareness of work based learning  
 203 opportunities for high school students and encourage recruitment; and

204 (8) Structural linkage between secondary and postsecondary components of the program  
 205 leading to the awarding of a high school diploma and a postsecondary credential related  
 206 to the student's career pathway."

207 **SECTION 8.**

208 Said title is further amended by revising Code Section 20-2-169, relating to receipt of federal  
 209 funds for career, occupational, or technical education, as follows:

210 "20-2-169.

211 (a) On and after July 1, 2019, the Technical College System of Georgia ~~The Department~~  
 212 ~~of Education~~ is designated as the sole state agency to receive federal funds allotted to  
 213 Georgia under acts of Congress appropriating federal funds for career, occupational, or  
 214 technical education; provided, however, that those funds appropriated for the operation and  
 215 management of ~~postsecondary technical, adult, and industrial~~ secondary education  
 216 programs shall be placed under the jurisdiction and control of the State Board of ~~the~~  
 217 ~~Technical College System of Georgia~~ Education; provided, further, that a proportionate  
 218 share of those federal funds appropriated for planning, evaluation, program improvement,  
 219 and other administrative and discretionary purposes shall be placed under the jurisdiction  
 220 and control of ~~such board~~ the State Board of Education.

221 (b)(1) On and after July 1, 2019, the program administration and staff of the career,  
 222 technical, and agricultural education program shall be transferred from the State Board  
 223 of Education to the State Board of the Technical College System of Georgia as CTAE  
 224 Program Administration. The intent of the transfer shall be to establish a single entity to  
 225 have the sole purpose of training students with employable skills and aligning those skills  
 226 seamlessly from secondary to postsecondary education. The programs within the career,  
 227 technical, and agricultural education program that are transferred include, but are not  
 228 limited to, extended day grant program, extended year technology/career education,  
 229 young farmer programs, youth camps, youth apprenticeships, industry certification, and  
 230 the area teacher program. The CTAE Program Administration under the State Board of  
 231 the Technical College System of Georgia shall provide technical assistance and oversight  
 232 for such career, technical, and agricultural education programs.

233 (2) On and after July 1, 2019, local school systems shall apply to the State Board of the  
 234 Technical College System of Georgia for grant funding for career, technical, and  
 235 agricultural education programs. It is the intent that federal funds received for career,  
 236 occupational, or technical education shall continue to be disbursed at similar funding  
 237 levels and proportions prior to July 1, 2019.

238 (3) Both the State Board of Education and the State Board of the Technical College  
 239 System of Georgia shall take all necessary steps to effectuate this transfer, including, but  
 240 not limited to, any notice or submissions to the federal government as appropriate."

241 **SECTION 9.**

242 Said title is further amended by revising paragraph (2) of subsection (i) of Code  
 243 Section 20-2-182, relating to program weights to reflect funds for payment of salaries and  
 244 benefits, maximum class size, reporting requirements, and application to specific school  
 245 years, as follows:

246 "(2) The State Board of Education shall adopt for each instructional program authorized  
 247 pursuant to Part 3 of this article except those programs included in paragraph (1) of this  
 248 subsection the maximum number of students which may be taught by a teacher in an  
 249 instructional period. For the remedial education, ~~career, technical, and agricultural~~  
 250 ~~education laboratory~~, alternative education, and early intervention programs, the State  
 251 Board of Education shall provide for a system average maximum class size that shall not  
 252 exceed the funding class size by more than 20 percent, unless specifically authorized by  
 253 the State Board of Education; provided, however, that the system average maximum class  
 254 size for special education, gifted, and English for speakers of other languages classes  
 255 shall be set by the State Board of Education. For the career, technical, and agricultural  
 256 education laboratory, the State Board of Education, after consultation with the State  
 257 Board of the Technical College System of Georgia, shall provide for a system average  
 258 maximum class size that shall not exceed the funding class size by more than 20 percent,  
 259 unless specifically authorized by the State Board of Education. For each instructional  
 260 program covered under this paragraph, the maximum number of students who may be  
 261 taught by a teacher in an instructional period shall not exceed the system average  
 262 maximum class size for the program by more than two students; provided, however, that  
 263 a system average maximum class size which results in a fractional full-time equivalent  
 264 shall be rounded up to the nearest whole number; provided, however, that this provision  
 265 shall not apply to general education programs in mathematics, science, social studies, and  
 266 language arts for grades 9 through 12. Beginning with the 2007-2008 school year, each  
 267 local board of education shall be allowed to exceed maximum class sizes set by the state  
 268 board pursuant to this paragraph for general education programs in mathematics, science,  
 269 social studies, and language arts for grades 9 through 12 and may establish such  
 270 maximum class sizes that shall not exceed the funding class size by more than 39 percent  
 271 and shall annually report to the state board and to each school council in its school system  
 272 such class sizes established."



273 **SECTION 10.**

274 Said title is further amended by revising Code Section 20-2-259, relating to extended day  
275 program for students in grades nine through 12, as follows:

276 "20-2-259.

277 ~~The Beginning on July 1, 2019, the State Board of Education~~ the Technical College System  
278 of Georgia shall establish an extended day program for students in grades nine through 12.

279 Subject to appropriation by the General Assembly, funding for extended day services shall  
280 be provided to local school systems through grants calculated as follows:

281 (1) Divide the salary amount for an administrator, as calculated on a ten-month basis, by  
282 the base size for the high school general education program (9-12); and

283 (2) Multiply the amount calculated in paragraph (1) of this Code section by the sum of  
284 the full-time equivalent program count for the high school general education program  
285 (9-12) and the career, technical, and agricultural education laboratory program (9-12).

286 Each year the ~~state board~~ State Board of the Technical College System of Georgia shall  
287 request funds sufficient to provide for the development and supervision of an extended day  
288 program during the regular school year."

289 **SECTION 11.**

290 Said title is further amended by revising subsection (q) of Code Section 20-2-281, relating  
291 to student assessments, as follows:

292 "(q) The State Board of Education shall consider the passage by a student of an industry  
293 certification examination or a state licensure examination which is approved by the State  
294 Board of ~~Education~~ the Technical College System of Georgia or an ACCUPLACER score  
295 approved by the State Board of Education when considering whether to grant such student  
296 a variance or a waiver of one or more end-of-course assessments or other instruments  
297 required by the State Board of Education pursuant to subsection (c) of this Code section  
298 in order to obtain a Georgia high school diploma; provided, however, that the state board  
299 shall not grant a variance to a student unless the student has attempted and failed to pass  
300 the relevant end-of-course assessment or assessments at least four times."

301 **SECTION 12.**

302 Said title is further amended by revising Code Section 20-2-307, relating to youth camps and  
303 food-processing and young farmers programs, as follows:

304 "20-2-307.

305 ~~The On and after July 1, 2019, the State Board of Education~~ the Technical College System  
306 of Georgia shall have authority to provide for the operation of youth camps,  
307 food-processing programs, and young farmer programs. The ~~state board~~ State Board of the

308 Technical College System of Georgia shall annually determine the amount of funds needed  
 309 to provide the programs described in this Code section and shall annually request from the  
 310 General Assembly such appropriations as are needed."

311 **SECTION 13.**

312 Said title is further amended by revising subsection (a) of Code Section 20-4-17, relating to  
 313 agencies to receive federal funds, as follows:

314 "(a) ~~The Department of Education~~ On and after July 1, 2019, the Technical College System  
 315 of Georgia is designated as the sole state agency to receive federal funds allotted to Georgia  
 316 under acts of Congress appropriating federal funds for career, occupational, or technical  
 317 education; provided, however, that those funds appropriated for the operation and  
 318 management of ~~postsecondary~~ secondary technical, adult, and industrial programs shall be  
 319 placed under the jurisdiction and control of the ~~Department of Technical and Adult~~  
 320 ~~Education, now known as the Technical College System of Georgia~~ State Board of  
 321 Education; provided, further, that a proportionate share of those federal funds appropriated  
 322 for planning, evaluation, program improvement, and other administrative and discretionary  
 323 purposes shall be placed under the jurisdiction and control of ~~such board~~ the State Board  
 324 of Education. ~~Those personnel positions authorized for fiscal year 1986 for the operation~~  
 325 ~~and management of postsecondary technical schools and adult centers, as well as a~~  
 326 ~~proportionate share of those positions authorized for fiscal year 1986 for planning,~~  
 327 ~~evaluation, program improvement, and other administrative and discretionary purposes,~~  
 328 ~~shall be transferred to the Technical College System of Georgia. Such employees shall~~  
 329 ~~retain all existing rights under the Employees' Retirement System of Georgia, the Teachers~~  
 330 ~~Retirement System of Georgia, and the rules of the State Personnel Board."~~

331 **SECTION 14.**

332 This Act shall become effective on July 1, 2019.

333 **SECTION 15.**

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