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Monday, June 29, 2020

SINE DIE. AT LAST!



*Photo and display by
GAE member Wendy Morgan, Catoosa County*

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Session adjourns 165 days after it began!

About 4,500 bills and resolutions were introduced in the now-adjourned, two-year 155th legislative session. The Georgia governor has 40 days (by August 5) to sign or veto bills that passed both chambers. If he takes no action on a matter of legislation, the bill automatically becomes law.

GAE will be informing Gov. Brian Kemp and his staff of GAE's position on the various education-related bills that passed this session.

Friday's sine die was the conclusion of a record-long session. Most sessions end around March or April. But the arrival of COVID-19 caused a suspension of the session on March 13 only to resume on June 15.

VOUCHER BILLS FAIL! For the second consecutive year, legislation to divert taxpayer money to pay for private-school tuition for students of wealthy parents (**vouchers**) was defeated. *Without a doubt, this bill will be back in 2021.* Another voucher bill ([HB 939](#)), which would have made permanent and indefinite an expansion of the income tax deduction for private school tuition, died on Crossover Day. *Thanks to GAE members and friends who stood up against these bills, helping to lead to their defeat.*

TRS: Legislation harmful to our members' interests in protecting and preserving the defined-benefit plan of the **Teachers Retirement System** ([HB 109](#)) was shot down in committee earlier in the session, in large part because of a tremendous outcry from retirees and educational employees. The proposal called for a limit on the number of unused sick days that could be counted in the calculation of length of service for retirement. The bill also would have cut benefits by eliminating one of the two annual cost-of-living adjustments.

Legislation was passed ([SB 294](#)) and will be sent to the governor to allow TRS to invest - at its discretion - up to 5% of its portfolio in private investments. Legislation to allow retired teachers to return to the classroom full-time after a year of retirement ([HB 336](#)) failed to pass after having passed in the House 161-0 in March.

[HB 292](#), which removes a statute in Georgia law that requires the University System of Georgia to make payments for persons who left TRS for the USG's Optional Retirement Plan (ORP), passed and will be sent to the governor. The ORP was established about 1990.

TKES: A bill to require each school district to adopt a due-process procedure and appeals protocol for unfavorable **TKES** evaluations passed and will be sent to the governor for his consideration. The language passed in the form of two bills, SB 68 and [HB 86](#), *though each has a different date (July 2021 or August 2021) that plans must be submitted to the Department of Education.* The TKES wording follows:

"Local units of administration shall establish an appeals policy that shall allow a teacher to appeal a summative performance rating of 'Unsatisfactory' or 'Ineffective.' Such appeals policy shall include a method and reasonable timelines for filing an appeal that minimize the burden on both parties, a statement that a teacher shall not be the subject of any reprisal as a result of filing an appeal pursuant to this paragraph, a provision that an appeal hearing may be conducted by an independent third party or by an administrator in the system office on behalf of the school official or local unit of administration, and a method to receive the decision of the independent third party or system administrator. Should any reprisal occur, the teacher may refer the matter to the Professional Standards Commission."

[SB 68](#) also included language, taken from [HB 464](#), pertaining to financial governance and training of local school boards and public comment at school board meetings: "Each local board of education shall provide a public comment period during every regular monthly meeting."

[SB 466](#), another TKES bill, which would have eliminated the "*needs development*" rating from teacher evaluations and would establish a pilot program in ten systems for an alternate evaluation program, passed the Senate without objection but failed to receive a vote in the House.

ED BUDGET CUTS: Painful budget cuts were made to QBE and Department of Education funding - the result of sharply declining tax revenue during the COVID pandemic. Initial budget cuts were pegged at \$1.6 billion but were paired back to \$950 million, about 10% of DOE/QBE funding. The budget, however, fully funds sparsity and equalization grants and T&E (training and experience) and restores budget cuts proposed by the Senate to school transportation. The Governor's Honors Program was eliminated by the state Senate but restored in the final budget. Legislators, however, appear to have left open a door to restore additional funding, perhaps from the state's rainy day or reserve fund as the year progresses.

STUDENT STANDARDIZED TESTS: A bill backed by GAE ([SB 367](#)) to reduce the number of **high-stakes, high-stress standardized student assessments** passed the General Assembly and will be sent to the governor for his signature. *GAE President-elect Lisa Morgan was at the Capitol in February at a press conference beside Gov. Kemp when he announced the initiative.*

Other bills of note

[HB 736](#), which began as a loan forgiveness program for new college graduates who elected to teach in "**turnaround**" and "**rural**" schools, was amended in committee to become a refundable tax credit for teachers who choose to teach in such schools. The credit would have been for five years and up to \$3,000-a-year for teachers in qualifying schools. The bill limited its scope to 100 most "in-need" schools and to no more than 1,000 teachers. The bill passed the House in March, 158-2, but was never taken up by the Senate.

[HB 829](#) and [HR 962](#), a bill and a companion proposed Constitutional amendment, would have allowed a local school board to call a referendum **to authorize a reduction in school property taxes** for persons over 65. Constitutional amendments require a 2/3rd vote of the legislature and receive 50%+1 of ballots cast in November. The measures passed the House, 157-6 and 163-5, respectively, but never was considered in the Senate. *GAE opposed the measures.*

[SB 430](#) allows **home-schooled students and private-school students to take courses at college and career academies** if spaces are available. The bill passed each chamber without objection and will be sent to the governor.

[SB 431](#) to amend Georgia Code Section 20-2-210, "Annual performance evaluation," changing the definition of "on-time graduation rates" passed:

"As used in this subsection, the term 'on-time graduation rate' means the graduation rate of the four-year cohort of students that attend a school continuously from October 1 of the calendar year four years prior to the calendar year of the regular date of graduation of that cohort and graduate on or before that regular date of graduation. This graduation rate shall be calculated in addition to, and not as a substitute for, any other graduation rate provided for by federal, state, or local law or regulation."

[HB 855](#), which ensures **foster children** are immediately assessed for any negative impact **trauma** has had on them, also passed the General Assembly.

[HB 755](#), which requires local boards of education provide itemized **allotment sheets** for the upcoming fiscal year by July 1 of each year, passed and will soon be before the governor.

REVENUE INCREASES: Last-minute efforts to increase the cigarette tax and to reduce corporate tax breaks that could have been used to reduce cuts to the state budget and specifically to reduce cuts to the DOE budget failed.

[HB 1026](#), which would have reduced the number of **REACH Scholarships**, did not pass and died in the Senate.

Hate crimes bill passes Senate and House; signed by the governor

The House and Senate finally agreed on a bill, [HB 426](#), to create **anti-hate crimes law** for Georgia. GAE and numerous civil rights organizations supported its passage. *Gov. Brian Kemp signed the bill Friday.*

Meanwhile, [SB 463](#), a Republican bill to amend election procedures, failed to pass. One provision in the bill would have statutorily prohibited the Secretary of State from sending out unsolicited absentee ballot applications. Of course, in the most recent election, the Secretary sent 7 million applications to registered voters. Such action, had the bill passed, would have been illegal.

With about a month until some schools are scheduled to open, record number of new COVID cases exist in Georgia.



U.S. Secretary of Ed DeVos signs rule requiring public schools give up and divert more money to private schools from federal COVID-19 relief

Education Secretary **Betsy DeVos** issued a new rule last Thursday advancing a policy requiring public schools to share more federal coronavirus relief funds with private schools than federal law currently mandates.

<http://www.nea.org/home/76267.htm>

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