

13 January 2012

## LWVAF, Report from the Capitol, Week 1

The session started off with a bang, particularly in the Senate. On Day 1, two bills passed and are on their way to the governor when the Senate agreed to the House changes made in 2011. The voucher bill was taken off the table, and is now back in committee.

There continues to be a difference of opinion about the viability of the current leadership. The Senate waited until 10:45 on Day 2 to begin business because of a GOP caucus on the subject. Nothing public was changed, but the governor had been working behind the scenes on a compromise which was accepted, for at least an hour after daily adjournment.

Lots of legislation has been introduced, which includes many of the prefiled bills which now have a committee assignment. The budgets were introduced, and that write up will come later. There seems to be a plethora of education bills this week, some as recommendations from the Education Finance Commission recommendations. More of those in the pipeline.

The legislature is in recess this next week for joint appropriation hearings on the budget and will return on January 23 for formal legislative business.

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**BOLD** Bill Number indicates final passage  
**NNS** = Needs No Signature  
**TGFS** = To Governor for Signature, final passage.

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**In CHAMBERS**

### EDUCATION

**SB 38**, Rogers – 21 **PASSED** Senate **PASSED** House **TGFS**

State School Superintendent may hire and dismiss employees without SBOE approval. The State School Superintendent may establish the agenda for the state Board of Education meetings; currently the state board chair sets the agenda. The State School Superintendent can approve contracts up to \$250,000 without board approval; the current amount is \$50,000. SBOE may overturn the Superintendents personnel decisions with a 2/3 vote. *Currently, the superintendent can hire 5 employees without approval, usually the deputy superintendents. Local boards of education approve all hires and dismissals upon the local school superintendent's recommendation. While the other constitutionally elected officers have total control over who they hire and fire, the state school superintendent is the only one with a board. The other agency boards have the authority to hire and fire the departmental CEO, but the State Board of Education does not have such authority. Perhaps the current situation was the compromise.*

**SB 87**, Rogers – 21 **OPPOSE** Removed from the TABLE. Now in S.Education & Youth  
Creates a voucher for students who are foster children, subject to Section 504 of the federal ESEA, or are children of active military. They may attend any school of their choice, public or private, sectarian or non sectarian, for as long as they choose. The schools must be accredited but there are no other accountability requirements for the schools. The schools do not have to teach the GA curriculum, need not hire certified teachers degreed in the subject matter they are teaching, and do not have to test the students with the state required tests. Students must be enrolled in the public school for one year and are funded in subsequent years at the level they were funded in the year they were in public school. *Amends the special needs*

*voucher law passed in 2007. There is no way of knowing how many students would be eligible or what the costs would be to public schools or to the students who remain in public school. DOE is opposed to this bill until all students, public and private, can have a common accountability system. The GA constitution bans the use of public money for sectarian purposes and it prohibits the expenditure of funds to any individual for any reason other than a fee for goods or services. LWV fails to see how either of those constitutional restraints is met with this legislation. LWV opposes school vouchers to non public entities. LWV has no opposition to public school choice.*

**SB 184, Williams – 19 PASSED Senate PASSED House TGFS**

LBOEs cannot adopt a reduction in force, RIF, policy which allows length of service to be a primary or determining factor, unless the reason for the RIF is a program elimination. SBOE may withhold funds for noncompliance. State Board of Education to align its professional learning requirements with the Professional Standards Commission's requirement for certification renewal.

**SR 668, Rogers – 21 NNS PASSED**

School Choice Week is January 22-28. *Wonder if sponsor would recommend a public school week?*

## **GOVERNMENT**

**HB 253, Collins - 27 PASSED House PASSED Senate TFGS**

Department of Public Safety can sell their motor vehicles and retain the funds for use in purchasing new vehicles. Pursuit vehicles which have been surplused can be donated to the Georgia Public Safety Training Facility for use in training public safety officers.

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## **In COMMITTEE**

## **EDUCATION**

**HB 705, Dudgeon – 24 DO PASS in H.Education**

Direct classroom expenditures used for the 65% expenditure test will now include technology, transportation, media centers, and guidance counselors. *The 65% expenditure test of funds to be spent in direct instruction was slated for repeal by the Education Finance Commission, but sufficient concern on the part of legislators has changed the proposal to simply include more of dollars spent by local school systems in the definition of direct expenditures. This should result in most, if not all, school systems meeting the test. Data has shown that there is no correlation between how much is spent in the classroom and student achievement. This provision is the most requested to be waived by the SBOE, state board of education..*

**HB 706, Dudgeon – 24 DO PASS in H.Education**

Some 39 sections of the Education Title 20 are repealed or revised to reflect what is actually happening. *Some sections were never funded, others haven't been funded in years, and others have to be changed to reflect reality. Recommended by the Education Finance Commission.*

**HB 713, Nix – 69 DO PASS in H.Education**

Delays the required implementation of the pathways, courses related to a specific trade or vocation, in the high school curriculum by one year, to fall 2013. A minimum course of study for college and career readiness shall be available K-12. A post secondary readiness assessment to be done in grade 11, rather than the grade 10 specified in the original pathways bill. *Author sponsored the original legislation, HB 186 in 2011, and is responding to the wishes of the State School Superintendent. With pathways, the*

*high school graduation rule will have to be changed, and that can't be finished until the pathways are all approved.*

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## **NEW LEGISLATION**

### **CHILDREN**

HB 676, Harbin – 118 H.Judiciary Non Civil

After 7-1-12, if the victim is under age 16 at the time of the crime, the statute of limitations for prosecution will not apply for the following crimes: Cruelty to children, rape, sodomy and aggravated sodomy, statutory rape, child molestation and aggravated child molestation, and incest.

HR 1072, Crawford – 16 **OPPOSE** H.Judiciary

CA to provide that a paramount right to life is vested in each human being from the moment of fertilization without regard to age, race, sex, health, function, or condition of dependency. *LWV believes these decisions belong to the woman in consultation with medical and paternal consultation.*

### **DRIVERS LAWS**

SB 293, Heath – 31 S.Finance

The nation's motto, 'In God We Trust', shall be on all license plates. Should the applicant desire to have the county designation instead, the applicant must pay for the county decal.

### **EDUCATION**

SB 291, Hill – 4 S.Education & Youth

Pre-K programs to be funded with general funds, rather than lottery by 2013-2014.

SB 308, Grant – 25 S.Higher Education

Authorizes proprietary technical and adults schools to establish college and career academies for high school students. *To date, all college and career academies have been high schools partnering with public colleges or public technical schools.*

HB 651, Maxwell – 17 H.Education

Charter Systems to no longer receive the premium per FTE. *A response to Fulton Schools application to be a charter system which would have required an estimated \$8 million appropriation?*

HB 654, Setzler – 35 **OPPOSE** H.Education

LBOE may establish a grant for any student residing within its area to attend the school of their choice, public or private. Amount is the per pupil funding of the previous year. The check is written to the parents who must endorse it over to the school. LBOE cannot put any definition on the grant that is not specified in this proposal. *This is a local school system voucher. LWV OPPOSES all forms of vouchers.*

HB 661, Heard – 114 H.Education

Requires charter schools to comply with the same certification requirements as required in traditional public schools.

HB 662, Manning – 32 H.Education

Requires an evaluation of a blind or visually impaired child to determine such child's need for Braille instruction and to require Braille instruction in the IEP. Requires text publishers to provide a digital copy of the text for Braille instruction, which they already do for use by special education students.

HB 673, Mitchell – 88 H.Health & Human Services

By Jan. 2013, the state board of education, SBOE, shall develop and distribute to local school districts mandatory guidelines for informing and educating coaches, student athletes, and parents about the risks of concussions. These guidelines must include criteria for removal and return to play, and risks of not reporting the injury and continuing to play. Local school boards shall, by July 2013, develop procedures and regulations which must require: annually, each student athlete and parent be given information about concussions and the athlete and parent shall sign that they have received same; immediate removal of a student athlete from activity should a concussion or brain injury be sustained; and no return to play on the same day and only after a medical evaluation with written clearance from the medical provider.

HB 689, Horne – 71 H.Education

LBOEs are authorized to provide health insurance benefits to former board members with at least 12 years of service to be paid for by the former member. ***Twelve years of service is usually 3 terms. This would be generally less expensive than the former member buying an individual health policy.***

HB 692, Mitchell – 88 H.Education

Teachers who falsify standardized test scores or who knew of or caused the falsification shall get an automatic decrease in salary. ***After proof of such falsification, the automatic decrease should be ZERO! People should not profit from their unethical behavior.***

HR 692, Drenner – 86 H.Education

Urges LBOEs to implement renewable energy systems in their buildings and vehicles.

HB 716, Long – 61 H.Natural Resources & Environment

Pentachlorophen, an insecticide, levels within two miles of a K-12 school, public or private, must be at zero. Department of Natural Resources will promulgate rules and monitor compliance.

HB 731, Lindsey – 54 H.Education

Parent Trigger Act. A majority of parents at a specially called meeting could petition the local school board to convert the school to a charter. The school must have not made AYP for two years in the same subject, been in existence for 10 years or longer, have lost accreditation or been placed on the step immediately preceding the loss of accreditation. ***The process is similar to that used for conversion charter petitions except that the faculty does not have a part in this Parent Trigger Act.***

HR 1093, Marin – 96 H.Education

Urges local boards of education to apply for federal funding to retrofit school buses with pollution control devices.

## **ELECTIONS/ETHICS**

HB 707, Morgan – 39 H.Government Affairs

Student IDs from either public or private accredited schools may be used to satisfy the photo ID requirement to vote. ***Currently, all photo IDs must be government issued. It is most difficult to believe that any student of this age doesn't have a driver's license or DDS issued ID card. Anyone not having existing government issued photo ID can get a free one from the state Elections Division.***

## GOVERNMENT

HB 668, Spencer – 180 H.Judiciary

Those applying for Temporary Assistance for Needy Families, TANF, must take a drug test. Benefits can only be approved with a negative result. If a parent has a child and the test results are positive, the child's benefits will go to an appropriate protective payee for the benefit of the child.

HB 672, Oliver – 83 H.Government Affairs

Incorporation of new cities must be introduced in the first year of a General Assembly and considered for passage in the second year. ***Retirement bills follow this process with the intersession used to determine fiscal viability. Since incorporation of new cities requires a local referendum, it would be held in a general election year and put on a ballot with a likely higher voter turnout. A general bill, but meant to control the movement in DeKalb to create new cities.***

HB 687, Taylor – 79 H.Public Safety & Homeland Security

Requires alarm monitoring companies to try to contact the alarm user to verify that the situation is real before calling the policy.

HB 691, Mitchell – 99 H.Judiciary Non Civil

Defines the offense of failure to report a crime for parties who did not directly commit the crime but who knew of its happening.

HB 697, Stephens – 164 H.Judiciary

Random drug tests are required of those receiving unemployment compensation benefits.

HB 698, Stephens – 164 H.Judiciary

Random drug tests are required of those receiving TANF benefits.

HB 699, Stephens – 164 H.Judiciary

Random drug tests are required of those receiving TANF benefits. Department of Human Resources to implement the drug testing program.

HB 717, Houston – 170 H.Judiciary Non Civil

Owners of dogs which are not secured and cause sever injury or death shall be guilty of a felony with imprisonment of 1 to 3 years and/or a fine up to \$20,000.

HR 1094, Riley – 50 H.Government Affairs

Opposes federal bailouts of any state debt.

## GUNS

HB 679, Spencer – 180 H.Public Safety & Homeland Security

Carrying a weapon in public places would not require a license or the weapon carrier to be a resident of the state. ***So the felons and nuts can carry, elevating the risk to the rest of us. Licensing weeds these unstable folk out.***

HB 735, Bruce – 64 H.Judiciary Non Civil

Training on gun safety will be a prerequisite for a weapons carry license or a temporary renewal permit.

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