



# 2022 ANNUAL CONFERENCE

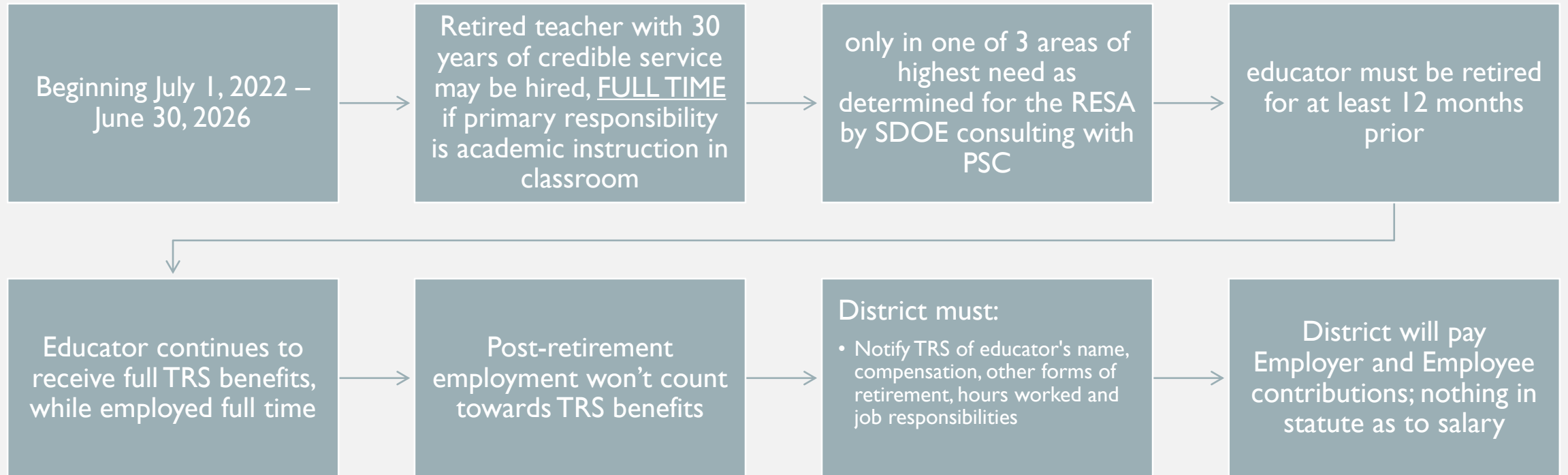
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# O.C.G.A. § 47-3-127.1 - HB 385



O.C.G.A. §  
20-2-59 -  
SB 588

**Requires BOE meeting to comply with provision of the Open Meetings Act, that were already required**

1. BOE must provide for public comment at regular monthly meeting
2. Public comment must be included on each regular monthly meeting agenda
3. Agenda must be posted prior to meeting
4. Cannot require more than 24 hours notice prior to participation in public comment
5. Can limit time for each participant and number of participants on a particular topic
6. All meetings are to be open to the public
7. Recording (visual/audio) permitted

**New requirements:**

1. BOE to adopt rules of conduct at meeting for public by 10/1/22 and 8/1 hereafter
  - Post in a prominent manner on website
- Include provision for removal of member of the public for an actual disruption of a meeting

O.C.G.A. §50-3-2 – SB 152

- I pledge allegiance to the Georgia flag and to the principles for which it stands: Wisdom, Justice, and Moderation, and Courage.



O.C.G.A. §20-2-  
2062 - HB 1215

A student may withdraw without penalty from a local school at any time without penalty and enroll in a charter school with available space

LBOE must adopt streamlined transfer process that allows such transfers

Calculation of local revenue shall be adjusted at least semiannually based upon collected local revenues

O.C.G.A. § 36-36-  
110.1

HB 1461

- **Municipality must provide impacted School District written notice of an accepted petition of annexation**
- Notice must be provided within 30 days



O.C.G.A. §  
48-9-3

HB 304

## **Temporarily stops the imposition of state tax on the sale of gas/diesel**

- But It Ends “the last moment of  
May 31, 2022”



O.C.G.A. §20-14-95 – SB 220  
THE GEORGIA CIVIC RENEWAL ACT

- Creates Commission to “promote and enhance the education of students on the importance of civic involvement in a constitutional republic, the study of state and local government among the state's citizenry, the importance of civic engagement and public service, and communication and collaboration among organizations in the state that conduct civics education.”
- Repealed December 31, 2028

# O.C.G.A. § 20-2-149.4

## SB 220

- **New academic requirement for 11<sup>th</sup> and 12<sup>th</sup> graders**
  - SBOE to adopt standards for financial literacy course
  - By 24-25 will be requirement for graduation, at least ½ unit
  - Can be part of existing coursework
  - Count as math, SS or elective
  - PSC to develop endorsement and training requirements




O.C.G.A. § 20-2-692.3

HB 1292

- **Any student participants in a 4-H sponsored activity or program is not to be counted absent from school**
  - Can request documentation of student's participation from 4-H representative

*“To Make the Best Better”*



A group of children sitting on the grass, listening to an adult standing on the right. The scene is outdoors, likely in a schoolyard or park. The children are of various ages and are looking towards the adult. The background is slightly blurred, focusing attention on the group.

O.C.G.A. § 20-2-154.3  
HB 1303

- If a District chooses to, it may implement agricultural education at the elementary level
  - Must fully fund it
  - Program must comply with Department of Education Agricultural Education Program

## O.C.G.A. § 20-2A-2 HB 517

- Adds an auditing component for each student scholarship organization
  - Within 120 days of end of fiscal year
  - Submit certification to Department of Revenue that it has complied with all laws
- Adds insurance companies to the term “Business Enterprise” and to receive tax credit
- Increases total state-wide tax credit to \$120 million





## O.C.G.A. § 20-2-323 - HB 1283

- Each Elementary school must schedule recess for K-5th Grade everyday
  - -Exception:
    - days when children have P.E. or “structured” activity time
    - Impeded by reasonable circumstances, inclement weather, assemblies, field trips, acts of God
- Each LBOE shall have written policy for break time for K-8

**O.C.G.A. §§ 20-2-59, 779.2, 2077,  
2094  
SB 514**

## **UNMASK GEORGIA STUDENTS ACT**

- No BOE, Superintendent, administrator, teacher or other school personnel shall make or enforce a rule:
- That requires students to wear face masks/coverings while on school grounds UNLESS it provides parent the opportunity to elect for their child to be exempt from requirement
- No reason for exemption can be required
- No medical or education certification status can be required
- No disciplinary or academic repercussions
- Includes charter schools and cannot be waived
- Been effective since March 29, 2022



O.C.G.A. § 50-1-11  
SB 345

No agency (including schools) can require proof of vaccination as condition of receiving service or entering building

Repealed as of June 30, 2023

**COVID-19 Vaccination Record Card**

Please keep this record card, which includes medical information about the vaccines you have received.  
Por favor, guarde esta tarjeta de registro, que incluye información médica sobre las vacunas que ha recibido.

MI

Last Name \_\_\_\_\_ First Name \_\_\_\_\_

Date of birth \_\_\_\_\_ Patient number (medical record or IIS record number) \_\_\_\_\_

Vaccine	Product Name/Manufacturer	Lot Number	Date	Healthcare Professional or Clinic Site
1 <sup>st</sup> Dose COVID-19			mm dd yy	
2 <sup>nd</sup> Dose COVID-19			mm dd yy	
Other			mm dd yy	
Other			mm dd yy	



O.C.G.A. §  
20-2-316  
HB 1084

- **Creates an executive oversight committee for GHSA**
  - If necessary, to conduct audit of classifications
  - Allows GHSA to determine if transgender female should be prohibited from girl's athletics
  - Annual evaluation and report to General Assembly

**WE HAVE A BILL OF RIGHTS.  
WHAT WE NEED IS A BILL OF  
RESPONSIBILITIES.  
BILL MAHER**

O.C.G.A. § 20-2-786  
HB 1178  
PARENTS' BILL OF RIGHTS

**“....a fundamental right of parents to direct the upbringing and education of their minor children....important information shall not be withheld, either inadvertently or purposefully” from parent regarding child’s education.**

Parental rights include:

1. direct the upbringing and moral or religious training
2. review all instructional materials (as defined by 20-2-1010 & 1017) intended for classroom instruction, to be made available during first 2 weeks of each grading period
3. enroll child in public or private school, including religious school or home study program
4. access/review all records including grades and attendance
5. access to promotion/retention policies and high school graduation requirements

O.C.G.A. § 20-2-786  
HB 1178  
CONTINUED

6. right to prohibit photographs, video or audio recordings of children by written notice
7. right to request in writing from principal or superintendent any of the above-mentioned information
  - must provide information within 3 business days of receipt of request
  - if information will take longer, must provide a written description of information and timeline, not to exceed 30 days
  - if denied, a parent can appeal to BOE at next public meeting, and it must be on agenda
  - parent can appeal to SBOE

O.C.G.A. § 20-2-786  
HB 1178  
CONTINUED

...parents have inalienable rights that are more comprehensive than listed. [this] does not prescribe all rights of parents ... rights of parents shall not be limited or denied.”

Each local District must adopt a policy/regulation to “promote parental involvement”

must include “process for parents to enact each enumerated right above”

object to instructional materials

withdraw from sex ed after getting notice of content

**Cannot be waived**

O.C.G.A § 20-1-11  
HB 1084  
DIVISIVE CONCEPTS

- One race is inherently superior to another
- USA is fundamentally racist
- An individual, by virtue of race, is inherently or consciously racist or oppressive toward individuals of other race
- An individual should be discriminated against or receive adverse treatment solely or partly because of race
- Moral character is inherently determined by race
- An individual, solely by virtue of race, bears individual responsibility for actions committed in the past by others of the same race
- An individual, solely by virtue of race, should feel anguish, guilt, or other psychological distress
- Performance-based recognition and character traits such as a hard work ethic are racist or have been advocated by one race to oppress another race
- Race scapegoating or race stereotyping

O.C.G.A. §20-1-11 HB  
1084  
CONT'D

- LOA shall prohibit employees from discriminating against students and other employees based on race
- LOA shall ensure curricula encourage employees and students to practice tolerance and mutual respect and to refrain from judging based on race
- LOA may provide curricula fostering environments where all are respected; but any curriculum, instruction or mandatory training program whether by District or third party shall not advocate for divisive concepts

O.C.G.A. §20-1-11  
HB 1084  
CONT'D

- Law Not Intended to
  - Violate rights or undermine intellectual freedom and free expression
  - Infringe on intellectual vitality
  - Prohibit tolerance, mutual respect, cultural sensitivity, or cultural competency, as long as not inconstant with this law
  - Prohibit responding to questions regarding divisive concepts in professionally or academically appropriate manner and without espousing personal political beliefs
  - Prohibit discussion of divisive concepts, as part of larger course of instruction, in professional and academically appropriate manner, w/o espousing personal political beliefs



O.C.G.A. §20-1-11  
HB 1084  
CONT'D

- Prohibit full and rigorous implementation of AP, IB, and DE coursework, professionally, academically appropriate and not personal beliefs
- Prohibit discussion of slavery, racial oppression, racial segregation, or racial discrimination in professional, academically appropriate and no personal beliefs
- Create any right or benefit enforceable in law or equity
- Prohibit a court from ordering training due to a finding of discrimination

O.C.G.A. §20-1-11 HB  
1084  
CONT'D

- By 8/1/22 must have complaint resolution policy to address violations
- Must be made by parent, student or staff
- Submitted in writing to the principal, with reasonably detailed description of violation
- Within 5 days, principal must take reasonable steps to investigate
- Within 10 days, unless mutually agreed, confer with complainant and inform if a violation, what is to be done, student and personnel information confidential
- Within 3 days of request, put decision in writing

O.C.G.A. §20-1-11  
HB 1084  
CONT'D

- Principal's determination **shall** be reviewed by Supt. w/in 10 days of written request
- Supt's decision subject to review by BOE under 20-2-1160 w/right to appeal to SBOE
- SBOE shall make written findings regarding whether any violations occurred
- If so, SDOE develops corrective action plan w/in 10 days and LOA has 30 days to implement
- If not, SBOE shall suspend one or more waivers
- By 7/1/22, SBOE shall develop model policy; SDOE shall develop guidance as to whether violations have occurred

O.C.G.A. §20-1-11 – HB  
1084  
AND THAT'S NOT ALL....

- Nothing...shall be construed to prohibit any cause of action... to complainant who is aggrieved by a decision of LBOE or SBOE
- Right of individual to request nonconfidential records that may substantiate complaint
- Three days, not more than 30 days
- If request denied or more than 30 days, appeal to LBOE at its next meeting
- **Can't be waived**

O.C.G.A. §20-2-324.6  
SB 226  
BOOK BANNING BILL

- (a) As used in this Code section, “harmful to minors” means that quality of description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:
  - (1) Taken as a whole, predominantly appeals to the prurient, shameful, or morbid interest of minors:
  - (2) Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors: and
  - (3) Is, when taken as a whole, lacking in serious literary, artistic, political, or scientific value for minors.

# SB 226

By January 1, 2023:

BOE must adopt a complaint resolution policy for complaints by parents that “materials” provided/available to student is “harmful to minors”

By September 1, 2022

SDOE shall have model policy for complaints procedure

21

LC 41 3138S

The House Committee on Judiciary Non-Civil offers the following substitute to SB 226:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to miscellaneous provisions of the "Quality Basic Education Act," so as  
3 to require each local board of education to adopt a policy providing for a complaint  
4 resolution process to be used by its local school system to address complaints submitted by  
5 parents or guardians alleging that material that is harmful to minors has been provided or is  
6 currently available to a student; to provide for policy requirements; to require the Department  
7 of Education to develop a model policy for use by local school systems; to provide for public  
8 review; to provide for a definition; to provide for related matters; to repeal conflicting laws;  
9 and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 SECTION 1.

12 Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
13 relating to miscellaneous provisions of the "Quality Basic Education Act," is amended by  
14 adding a new Code section to read as follows:

S. B. 226 (SUB)  
- 1 -

- Complaint must be in writing to the Principal
  - Must be “reasonably detailed description” of what is “harmful”
- Principal must review/investigate complaint within 7 business days
- Within 10 business days of Complaint:
  - Principal/designee determines if material is, in fact, “harmful to minors”
  - Remove material?
  - Restrict access?

Appeal of Principal's decision to "full administrative and substantive review by Board of Education"

Must include right of parent to provide public comment

Appeal must be decided w/in 30 days

Titles deemed not harmful must be listed on website w/in 15 days and stay for 12 months

The House Committee on Judiciary Non-Civil offers the following substitute to SB 226:

A BILL TO BE ENTITLED  
AN ACT

to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions of the "Quality Basic Education Act," so as to require each local board of education to adopt a policy providing for a complaint resolution process to be used by its local school system to address complaints submitted by parents or guardians alleging that material that is harmful to minors has been provided to a student; to provide for policy requirements; to require the Department of Education to develop a model policy for use by local school systems; to provide for a review; to provide for a definition; to provide for related matters; to repeal conflicting provisions; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions of the "Quality Basic Education Act," is amended by adding a new Code section to read as follows:





# CARES/ESSER FUNDS AND FINDINGS

Superintendents,

This note is to update you on information related to ESSER funding and allowable items.

## **ESSER and Revenue Loss**

On February 16, 2022, I sent the U.S. Department of Education (USED) a letter requesting clarification on the issue of Revenue Loss and the use of ESSER funds for Continuity of Services. USED responded late last week with the following language:

*“It is not necessary that an LEA demonstrate that it has incurred additional expenses for teacher salaries during the pandemic given educators are fundamental to continuity of services in schools and ESSER funds may be used for continuity of educational services.”*

In a collaborative meeting with GaDOE and the Georgia Department of Audits, USED explained that because teaching is necessary for continuity of services in the pandemic, LEAs may use ESSER funds for any educator salaries if those expenditures were/are incurred during the grant timeframe.

## **ESSER for Increased Fuel Costs**

In addition to the question related to Revenue Loss, I asked USED to clarify whether it was allowable for LEAs to use ESSER funds for increased fuel costs to provide transportation for students to and from school. USED responded with the following:

*“Yes. Supporting or providing transportation services for students is an allowable use of funds under ESSER and GEER as long as the need is related to COVID-19 (e.g., to support daily attendance at school to address the impact of lost instructional time) and the cost is reasonable and necessary. This could include, but is not limited to, transportation services provided directly by the school district; the cost of public transportation services (e.g., bus or subway fare); taxis, rideshare apps, or other driving services; or compensation to parents for providing transportation services for their children.”*

I want to personally thank each of you for the tremendous job you have done using ESSER funds to keep schools open and learning going. The open dialogue you have maintained with us has been very helpful as we advocate to USED.

If you have any questions, please don't hesitate to contact Matt Cardoza at 404-550-7298 or [mcardoza@doe.k12.ga.us](mailto:mcardoza@doe.k12.ga.us).

Sincerely,

Richard Woods