

\_\_\_\_\_ offers the following  
 substitute to HB 338:

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 system of supports and assistance for the lowest-performing schools identified  
 3 as in the greatest need of assistance; to provide for a Chief Turnaround Officer; to provide  
 4 for turnaround coaches; to provide for consultation with the State School Superintendent; to  
 5 provide for the identification of the schools in the greatest need of assistance; to provide for  
 6 contract amendments; to provide for a comprehensive on-site evaluation and  
 7 recommendations; to provide for the development of an intensive school improvement plan;  
 8 to provide for a two-year period to implement the intensive school improvement plan; to  
 9 provide for interventions after two years if the school does not improve; to provide for an  
 10 Education Turnaround Advisory Council; to provide for the creation of the Joint Study  
 11 Committee on the Establishment of a State Accreditation Process; to provide for its  
 12 membership and duties; to provide for removal of members of a local board of education if  
 13 one-half or more of the schools in the local school system have received an unacceptable  
 14 rating for five or more consecutive years; to provide for temporary replacement members;  
 15 to provide for petitions for reinstatement; to provide for a hearing; to revise provisions  
 16 relating to contracts for strategic waivers school systems; to revise provisions relating to  
 17 charters for charter systems; to provide for related matters; to repeal conflicting laws; and for  
 18 other purposes.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

20 **PART I**  
 21 **SECTION 1-1.**

22 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by  
 23 adding new Code sections to the end of Part 3 of Article 2 of Chapter 14, relating to  
 24 education accountability assessment programs, to read as follows:

25 "20-14-43.

26 (a) There is created the position of Chief Turnaround Officer. The State Board of  
 27 Education, after consulting with the State School Superintendent and the Education  
 28 Turnaround Advisory Council, shall appoint the Chief Turnaround Officer who shall serve  
 29 at the pleasure of the state board. The Chief Turnaround Officer shall be an employee of  
 30 the Department of Education but shall report directly to the state board.

31 (b) The Chief Turnaround Officer shall have the following qualifications:

32 (1) A minimum of ten years of experience in K-12 education;

33 (2) Holds an advanced degree;

34 (3) Has held the position of principal or higher in a public school system for a minimum  
 35 of three years;

36 (4) Extensive experience in turning around failing schools; and

37 (5) Such additional education, experience, and other qualifications as determined by the  
 38 state board.

39 (c) The Chief Turnaround Officer shall manage and oversee a system of supports and  
 40 assistance for the lowest-performing schools identified as in the greatest need of assistance.

41 The Chief Turnaround Officer and the staff and various divisions of the Department of  
 42 Education shall work cooperatively and shall coordinate as necessary to facilitate the  
 43 implementation of this Code section and Code Sections 20-14-44 through 20-14-46.

44 20-14-44.

45 (a) The Chief Turnaround Officer, after consulting with the State School Superintendent,  
 46 shall recommend individuals experienced in turning around schools with similar needs and  
 47 characteristics as those schools identified pursuant to Code Section 20-14-45, to serve as  
 48 turnaround coaches, subject to approval by the state board.

49 (b) Turnaround coaches shall assist schools that are identified as in the greatest need of  
 50 assistance pursuant to Code Section 20-14-45 with ongoing assistance and input.

51 Turnaround coaches shall be assigned to one or more schools which are under a contract  
 52 amendment or intervention contract pursuant to Code Section 20-14-45.

53 (c) Turnaround coaches shall assist in creating local collaborations to address personal and  
 54 community conditions, which shall include the needs, issues, and problems within the  
 55 communities of such school or schools, such as poverty, lack of economic development,  
 56 safety, transportation options for parents and students, adult educational opportunities,  
 57 wellness, and mental health services and shall assist in identifying state and community  
 58 resources that are available or that could be built upon, reallocated, or repurposed to  
 59 address the issues impacting such school or schools.

60 (d)(1) Turnaround coaches shall coordinate with each school to conduct individual  
61 assessments of those students who have been identified as low-performing and coordinate  
62 with schools to provide the following interventions, as agreed to by the turnaround coach  
63 and the school and based on available funding and resources, including the reallocation  
64 of existing resources:

65 (A) Screen all students during the first 60 instructional days of the school year of a  
66 contract amendment or intervention contract pursuant to Code Section 20-14-45 to  
67 diagnose the factors for low-performance, including but not limited to, reading  
68 development and comprehension, physical health, mental health, access to the Internet  
69 or other ancillary supports to out-of-school learning activities expected of students; and  
70 evaluation of all available records to address nonacademic barriers to learning in the  
71 lowest-performing schools; and

72 (B) Provide students who have been identified as low-performing with academic  
73 support and enrichment activities, access to programs to promote parental involvement,  
74 access to supports for addressing and improving mental and physical health, access to  
75 a learning resource center for students and guardians to strengthen academic supports,  
76 positive behavioral interventions and supports, and access to expert supports, which  
77 may include, but not be limited to, data scientists, psychometric personnel, curriculum  
78 specialists, learning theorists, and special educators to help advise the schools on  
79 technical learning matters.

80 (2) The Office of Student Achievement shall be authorized to provide for grants, subject  
81 to appropriations, to assist in assessing low-performing students and obtaining specified  
82 supports for such students as delineated in paragraph (1) of this subsection. A school  
83 under a contract amendment or intervention contract pursuant to Code Section 20-14-45  
84 may, upon consultation with the turnaround coach for the school, request grant funds for  
85 assessing low-performing students and obtaining specified supports for such students  
86 pursuant to paragraph (1) of this subsection. Upon approval by the Chief Turnaround  
87 Officer, the grant request may be submitted to the Office of Student Achievement. The  
88 award of any grant funds shall be at the discretion of the Office of Student Achievement,  
89 including the amount of any such grant funds. The Office of Student Achievement shall  
90 prescribe criteria, policies, and standards deemed necessary for the effective  
91 implementation of this Code section.

92 (e) Turnaround coaches may provide such other services and supports as determined by  
93 the Chief Turnaround Officer.

94 20-14-45.

95 (a) The Chief Turnaround Officer, in conjunction with the Department of Education and  
 96 the Office of Student Achievement, shall annually identify the lowest-performing schools  
 97 that are deemed to be in the greatest need of assistance based on the chronically failing  
 98 schools list published annually by the Office of Student Achievement, including scores and  
 99 data trends, and any other factors deemed appropriate by the Chief Turnaround Officer;  
 100 provided, however, that special consideration may be given to other lowest-performing  
 101 schools:

102 (1) That are in close proximity to a school in greatest need of assistance;

103 (2) That are in local school systems in which one-half or more of the schools in such  
 104 local school system are deemed lowest-performing; and

105 (3) For which the local board of education has specifically requested assistance from the  
 106 state.

107 The number of schools identified annually shall be at the discretion of the Chief  
 108 Turnaround Officer, based on the capacity and resources available to the Chief Turnaround  
 109 Officer and to the Department of Education after consulting with department staff and the  
 110 State School Superintendent.

111 (b) The Chief Turnaround Officer shall extend an opportunity to the local boards of  
 112 education for each school identified pursuant to subsection (a) of this Code section to  
 113 amend the contract entered into pursuant to Code Section 20-2-83 for strategic waivers  
 114 school systems or to amend the charter, for charter systems. The amendment shall be for  
 115 the purposes of agreeing to receive assistance pursuant to Code Section 20-14-46 for the  
 116 school or schools identified as in greatest need of assistance. For any such local board of  
 117 education that is offered the opportunity to amend its contract or charter but that does not  
 118 sign an amendment within 60 days of being offered the amendment or that declines, the  
 119 State Board of Education shall within 60 days either implement one or more of the  
 120 interventions contained in paragraph (6) of subsection (a) of Code Section 20-14-41 for  
 121 such school or terminate the contract or charter as allowed by the terms of such contract  
 122 or charter.

123 (c) For any local school system that is not a charter system or a strategic waivers system,  
 124 the Chief Turnaround Officer shall extend an opportunity to the local board of education  
 125 for each school identified pursuant to subsection (a) of this Code section to enter into an  
 126 intervention contract for the purposes of agreeing to receive assistance pursuant to Code  
 127 Section 20-14-46 for the school or schools identified as in greatest need of assistance. For  
 128 any such local board of education that is offered the opportunity to enter into an  
 129 intervention contract but that declines, the State Board of Education shall immediately

130 implement one or more of the interventions contained in paragraph (6) of subsection (a) of  
131 Code Section 20-14-41 for such school.

132 20-14-46.

133 (a) The Chief Turnaround Officer shall establish a system of assistance and support for  
134 schools identified as in the greatest need of assistance pursuant to Code Section 20-14-45.

135 (b) Within 90 days of entering into a contract amendment or intervention contract between  
136 the State Board of Education and a local board of education, a turnaround coach, in  
137 partnership with the regional educational service agency, shall conduct a comprehensive  
138 on-site evaluation of the school to determine the cause for the school's low performance  
139 and lack of progress. At the discretion of the Chief Turnaround Officer and based on  
140 available funding and resources, after consultation with the Department of Education and  
141 the State School Superintendent, a third party may be retained to assist in the evaluation,  
142 at the expense of the state. Such third party shall be selected by the local board of  
143 education from an approved list provided by the Chief Turnaround Officer. Such approved  
144 list shall be annually established by the State Board of Education through a request for  
145 proposals process. Such request for proposals shall be designed with input from parents,  
146 teachers, administrators, and the Education Turnaround Advisory Council. If the local  
147 board of education instead wishes to select its own third party to assist in the evaluations,  
148 it may do so upon approval by the Chief Turnaround Officer, at the expense of the local  
149 school system. Based on the comprehensive on-site evaluation, the turnaround coach, in  
150 partnership with the regional educational service agency, shall recommend actions, which  
151 may include, but not be limited to, reallocation of resources and technical assistance,  
152 changes in school procedures or operations, professional learning focused on student  
153 achievement for instructional and administrative staff, intervention for individual  
154 administrators or teachers, instructional strategies based on scientifically based research,  
155 waivers from state statutes or rules, adoption of policies and practices to ensure all groups  
156 of students meet the state's proficiency level, extended instruction time for low-performing  
157 students, strategies for parental involvement, incorporation of a teacher mentoring program,  
158 smaller class size for low-performing students, or other actions deemed appropriate.

159 (c) Based on the evaluation and recommendations, the school shall develop an intensive  
160 school improvement plan in collaboration with the Chief Turnaround Officer that  
161 specifically addresses the academic insufficiencies identified by the school's rating in the  
162 single state-wide accountability system. The school shall implement the plan with ongoing  
163 input and assistance from the Chief Turnaround Coach and the turnaround coach.

164 (d) If after two years of implementing the plan, the school is not improving, as determined  
165 by the Chief Turnaround Officer based on the terms of the amended contract, amended

166 charter, or the intervention contract and on other applicable factors, the Chief Turnaround  
167 Officer shall require that one or more of the following interventions be implemented at the  
168 school, taking into consideration the substantial compliance of the school in the  
169 implementation of the intensive school improvement plan and the ongoing cooperation and  
170 collaboration exhibited by the school:

171 (1) Continued implementation of the intensive school improvement plan developed  
172 pursuant to subsection (c) of this Code section;

173 (2) Appointment of a school master or management team to oversee and direct the duties  
174 of the principal of the school until the school makes acceptable improvements;

175 (3) Removal of school personnel, which may include the principal and personnel whose  
176 performance has been determined to be insufficient to produce student achievement  
177 gains;

178 (4) Implementation of a state charter school or a special school, as defined in Code  
179 Section 20-2-2062;

180 (5) Complete reconstitution of the school, removing all personnel, appointing a new  
181 principal, and hiring all new staff. Existing staff may reapply for employment at the  
182 newly reconstituted school but shall not be rehired if their performance regarding student  
183 achievement has been negative for the past four years;

184 (6) Mandatory parental option to relocate the student to another public school in the local  
185 school system that does not have an unacceptable rating, to be chosen by the parents of  
186 the student from a list of available options provided by the local school system. The local  
187 school system shall provide transportation for students in Title I schools in accordance  
188 with the requirements of federal law. The local school system may provide transportation  
189 for students in non-Title I schools. In any year in which the General Assembly does not  
190 appropriate funds for the provision of transportation to non-Title I students, the parent or  
191 guardian shall assume responsibility for the transportation of that student;

192 (7) Complete restructuring of the school's governance arrangement and internal  
193 organization of the school;

194 (8) Operation of the school by a successful school system and pursuant to funding  
195 criteria established by the State Board of Education;

196 (9) Operation of the school by a private nonprofit entity pursuant to a request for  
197 proposals issued by the State Board of Education; or

198 (10) Any other interventions or requirements deemed appropriate by the Chief  
199 Turnaround Officer and the State Board of Education for the school and in accordance  
200 with the amended contract, amended charter, or intervention contract.

201 (e) Before the implementation of any interventions required by the Chief Turnaround  
202 Officer pursuant to subsection (d) of this Code section for a school, the local board of

203 education may request an opportunity for a hearing before the State Board of Education to  
 204 show cause as to why an intervention or interventions imposed by the Chief Turnaround  
 205 Officer for a school should not be required or that alternative interventions would be more  
 206 appropriate. Such request shall be made no later than 30 days after notification by the  
 207 Chief Turnaround Officer of the intended interventions. The State Board of Education  
 208 shall take into consideration the substantial compliance of the school in the implementation  
 209 of the intensive school improvement plan and the ongoing cooperation and collaboration  
 210 exhibited by the school. The State Board of Education shall make a determination on any  
 211 such request no later than 60 days after receipt of such request. The determination of the  
 212 State Board of Education shall be the final decision.

213 20-14-47.

214 (a) There is created the Education Turnaround Advisory Council. The Education  
 215 Turnaround Advisory Council shall report to the State Board of Education and shall  
 216 provide advisement regarding the qualifications and the manner of conducting the  
 217 identification and selection process for the position of the Chief Turnaround Officer  
 218 pursuant to Code Section 20-14-43 and regarding the qualifications and the manner of  
 219 conducting the identification and selection process for individuals to serve as turnaround  
 220 coaches pursuant to Code Section 20-14-44. Additionally, the Education Turnaround  
 221 Advisory Council may submit to the State Board of Education names of potential  
 222 candidates for the position of Chief Turnaround Officer and for turnaround coaches. The  
 223 Education Turnaround Advisory Council may also provide recommendations and input on  
 224 the request for proposals process conducted by the State Board of Education pursuant to  
 225 Code Section 20-14-46 to establish a list of approved third parties that may be retained to  
 226 assist in the evaluation of schools. The Education Turnaround Advisory Council may have  
 227 other responsibilities as assigned by the State Board of Education, but shall have no  
 228 authority and shall only be advisory in nature.

229 (b) The Education Turnaround Advisory Council shall be composed of:

- 230 (1) The executive director of the Georgia School Boards Association or his or her  
 231 designee;
- 232 (2) The executive director of the Georgia School Superintendents Association or his or  
 233 her designee;
- 234 (3) The executive director of the Professional Association of Georgia Educators or his  
 235 or her designee;
- 236 (4) The executive director of the Georgia Association of Educators or his or her  
 237 designee;
- 238 (5) The executive director of the Georgia Association of Educational Leaders; and

239 (6) The president of the Georgia Parent Teacher Association.

240 20-14-48.

241 (a) The Joint Study Committee on the Establishment of a State Accreditation Process is  
 242 hereby created. The committee shall undertake a study of the advantages and  
 243 disadvantages of establishing a state accreditation process for public schools and school  
 244 systems in this state, including the resources and structure that would be necessary and any  
 245 impediments that would need to be addressed. The committee shall consider the areas that  
 246 could be included in a state accreditation process, including student academic achievement,  
 247 local board governance, and financial management. The committee should also consider  
 248 the possible consequences of losing state accreditation that could be administered, such as  
 249 removal of local board of education members. In addition, the committee shall consider  
 250 the possibility of establishing a school board review commission.

251 (b) The committee shall be composed of:

252 (1) Three members of the House of Representatives, appointed by the Speaker of the  
 253 House of Representatives, one of whom who shall be designated by the Speaker to serve  
 254 as a cochairperson;

255 (2) Three members of the Senate, appointed by the President of the Senate, one of whom  
 256 who shall be designated by the President of the Senate to serve as a cochairperson;

257 (3) The State School Superintendent or his or her designee;

258 (4) The chairperson of the State Board of Education or his or her designee;

259 (5) The director of the State Charter Schools Commission or his or her designee;

260 (6) The director of the Office of Student Achievement or his or her designee;

261 (7) The chancellor of the University System of Georgia or his or her designee;

262 (8) A local board of education member appointed by the Governor;

263 (9) A local school superintendent appointed by the Governor;

264 (10) A principal appointed by the Governor;

265 (11) A teacher appointed by the Governor; and

266 (12) A parent appointed by the Governor.

267 (c) The committee may conduct such meetings at such places and at such times as it may  
 268 deem necessary or convenient to enable it to exercise fully and effectively its powers,  
 269 perform its duties, and accomplish the objectives and purposes of this Code section. The  
 270 committee shall meet upon the call of the cochairpersons.

271 (d) The legislative members of the committee shall receive the allowances provided for  
 272 in Code Section 28-1-8. Any citizen members shall receive a daily expense allowance in  
 273 the amount specified in subsection (b) of Code Section 45-7-21 as well as the mileage or  
 274 transportation allowance authorized for state employees. Any members of the committee

275 who are state officials, other than legislative members, and state employees shall receive  
 276 no compensation for their services on the committee, but they shall be reimbursed for  
 277 expenses incurred by them in the performance of their duties as members of the committee  
 278 in the same manner as they are reimbursed for expenses in their capacities as state officials  
 279 or employees. The funds necessary for the reimbursement of the expenses of state  
 280 officials, other than legislative members, and state employees shall come from funds  
 281 appropriated to or otherwise available to the Department of Education. All other funds  
 282 necessary to carry out the provisions of this Code section shall come from funds  
 283 appropriated to the House of Representatives and the Senate.

284 (e)(1) In the event the committee adopts any specific findings or recommendations that  
 285 include suggestions for proposed legislation, the cochairpersons shall file a report of the  
 286 same prior to December 31, 2018, subject to paragraph (3) of this subsection.

287 (2) In the event the committee adopts a report that does not include suggestions for  
 288 proposed legislation, the cochairpersons shall file the report, subject to paragraph (3) of  
 289 this subsection.

290 (3) No report shall be filed unless the same has been approved prior to  
 291 December 31, 2018, by majority vote of a quorum of the committee. A report so  
 292 approved shall be signed by the cochairpersons of the committee and filed with the  
 293 Secretary of the Senate and the Clerk of the House of Representatives.

294 (4) In the absence of an approved report, the cochairpersons may file with the Secretary  
 295 of the Senate and the Clerk of the House of Representatives copies of the minutes of the  
 296 meetings of the committee in lieu thereof.

297 (f) The committee shall stand abolished and this Code section shall stand repealed by  
 298 operation of law on December 31, 2018."

## 299 **PART II**

### 300 **SECTION 2-1.**

301 Said title is further amended by revising Code Section 20-2-73, relating to suspension and  
 302 removal of local school board members upon potential loss of accreditation, as follows:

303 "20-2-73.

304 (a)(1) Notwithstanding Code Section 20-2-54.1 or any other provisions of law to the  
 305 contrary, if:

306 (A) A a local school system or school is placed on the level of accreditation  
 307 immediately preceding loss of accreditation for school board governance related  
 308 reasons by one or more accrediting agencies included in subparagraph (A) of  
 309 paragraph (6) of Code Section 20-3-519, the local board of education shall notify the

310 State Board of Education in writing within three business days of such placement and  
 311 the State Board of Education shall conduct a hearing in not less than ten days of such  
 312 notice nor more than 90 days and recommend to the Governor whether to suspend all  
 313 eligible members of the local board of education with pay; or

314 (B) One-half or more of the schools in a local school system have received an  
 315 unacceptable rating, based on the chronically failing schools list published annually by  
 316 the Office of Student Achievement, for the fifth or more consecutive year, the  
 317 Department of Education shall notify the State Board of Education in writing within  
 318 three business days of such rating and the State Board of Education shall conduct a  
 319 hearing in not less than ten days of such notice nor more than 90 days and recommend  
 320 to the Governor whether to suspend all eligible members of the local board of education  
 321 with pay; provided, however, that this subparagraph shall be tolled for a local board of  
 322 education while under a contract amendment or intervention contract pursuant to Code  
 323 Section 20-14-45 so long as such local board of education is in substantial compliance  
 324 with the terms of such contract amendment or intervention contract.

325 (2) A majority of the members of a local board of education may petition the State Board  
 326 of Education to continue any hearing scheduled under this subsection. Upon a showing  
 327 of good cause, the state board may in its sound discretion continue any such hearing.  
 328 Notwithstanding any other provision of law, deliberations held by the State Board of  
 329 Education pursuant to this subsection to formulate its recommendation to the Governor  
 330 shall not be open to the public; provided, however, that testimony shall be taken in an  
 331 open meeting and a vote on the recommendation shall be taken in an open meeting  
 332 following the hearing or at the next regularly scheduled meeting. If the State Board of  
 333 Education makes such recommendation, the Governor may, in his or her discretion,  
 334 suspend all eligible members of the local board of education with pay and, in consultation  
 335 with the State Board of Education, appoint temporary replacement members who shall  
 336 be otherwise qualified to serve as members of such board.

337 (b) Any local board of education member suspended under this Code section may petition  
 338 the Governor for reinstatement no earlier than 30 days following suspension and no later  
 339 than 60 days following suspension. In the event that a suspended member does not petition  
 340 for reinstatement within the allotted time period, his or her suspension shall be converted  
 341 into permanent removal, and the temporary replacement member shall become a permanent  
 342 member and serve out the remainder of the term of the removed member.

343 (c) Upon petition for reinstatement by a suspended local board of education member, the  
 344 Governor or his or her designated agent shall conduct a hearing for the purpose of receiving  
 345 evidence relative to whether the local board of education member's continued service on  
 346 the local board of education is more likely than not to improve the ability of the local

347 school system or school to retain or regain its accreditation or to improve the ratings of  
 348 the schools in the local school system so that less than one-half of the schools in such local  
 349 school system receive an unacceptable rating in subsequent years. The appealing member  
 350 shall be given at least 30 days' notice prior to such hearing. Such hearing shall be held not  
 351 later than 90 days after the petition is filed and in accordance with Chapter 13 of Title 50,  
 352 the 'Georgia Administrative Procedure Act,' except that the individual conducting the  
 353 hearing shall have the power to call witnesses and request documents on his or her own  
 354 initiative. For purposes of said chapter and any hearing conducted pursuant to this Code  
 355 section, the Governor shall be considered the agency, and the Attorney General or his or  
 356 her designee shall represent the interests of the Governor in the hearing. If it is determined  
 357 that it is more likely than not that the local board of education member's continued service  
 358 on the local board of education improves the ability of the local school system or school  
 359 to retain or regain its accreditation or to improve the ratings of the schools in the local  
 360 school system so that less than one-half of the schools in such local school system receive  
 361 an unacceptable rating in subsequent years, the member shall be immediately reinstated;  
 362 otherwise, the member shall be permanently removed, and the temporary replacement  
 363 member shall become a permanent member and serve out the remainder of the term of the  
 364 removed member or until the next general election which is at least six months after the  
 365 member was permanently removed, whichever is sooner. Judicial review of any such  
 366 decision shall be in accordance with Chapter 13 of Title 50.

367 (d)(1) Subparagraph (B) of paragraph (1) of subsection ~~Subsection~~ (a) of this Code  
 368 section shall apply to a local school system or school which is placed on the level of  
 369 accreditation immediately preceding loss of accreditation on or after April 20, 2011.

370 (2) Subparagraph (B) of paragraph (1) of subsection (a) of this Code section shall apply  
 371 to a local school system which receives, on or after July 1, 2017, an unacceptable rating  
 372 for one-half or more of the schools in the local school system for the fifth or more  
 373 consecutive year.

374 (e) For purposes of this Code section, an eligible member of a local board of education  
 375 shall mean a board member who:

376 (1) Was ~~was~~ serving on the local board at the time the accrediting agency placed the  
 377 local school system or school on the level of accreditation immediately preceding loss of  
 378 accreditation; or

379 (2) Was serving on the local board at the time the local school system received an  
 380 unacceptable rating for one-half or more of the schools in the local school system for the  
 381 fifth or more consecutive year and had served on the local board for at least the  
 382 immediately preceding two years.

383 (f) A local board of education shall not expend any public funds for attorney's fees or  
 384 expenses of litigation relating to proceedings initiated pursuant to this Code section except  
 385 to the extent such fees and expenses are incurred prior to and through the recommendation  
 386 of the state board as provided for in subsection (a) of this Code section; provided, however,  
 387 that nothing in this subsection shall be construed to prohibit an insurance provider from  
 388 covering attorney's fees or expenses of litigation under an insurance policy.

389 (g) Any suspended board member who is reinstated by the Governor pursuant to this Code  
 390 section may be reimbursed by the local board of education for his or her reasonable  
 391 attorney's fees and related expenses incurred in pursuing such reinstatement."

### 392 SECTION 2-2.

393 Said title is further amended by revising Code Section 20-2-83, relating to state board  
 394 approval of local school board flexibility contract, as follows:

395 "20-2-83.

396 (a) Upon approval of a proposed contract of a local school system which has requested  
 397 flexibility, the state board shall enter into such contract with the local board of education.

398 (b) The terms of the contract shall include, but not be limited to, accountability, flexibility,  
 399 and consequences components as negotiated pursuant to subsection (a) of Code Section  
 400 20-2-82 and in accordance with Code Section 20-2-84.

401 (c) Each contract shall be for a term of ~~five~~ six years. The terms of the contract may  
 402 provide for automatic extension of such contract if a local school system has met its  
 403 accountability requirements.

404 (d) The terms of a contract may be amended during the term of the contract only ~~if~~  
 405 ~~warranted due to unforeseen circumstances and~~ upon approval of the state board and the  
 406 local board of education."

### 407 SECTION 2-3.

408 Said title is further amended by revising subsection (c) of Code Section 20-2-2063.2, relating  
 409 to charter systems, as follows:

410 "(c) Prior to approval or denial of a charter petition for a charter system, the state board  
 411 shall receive and give all due consideration to the recommendation and input from the  
 412 Charter Advisory Committee established in Code Section 20-2-2063.1. The state board  
 413 shall approve the charter if the state board finds, after receiving input from the Charter  
 414 Advisory Committee, that the petition complies with the rules, regulations, policies, and  
 415 procedures promulgated pursuant to Code Section 20-2-2063 and the provisions of this  
 416 title, is in the public interest, and promotes school level governance. A charter for a charter

417 system shall include the interventions, sanctions, and loss of governance consequences  
 418 contained in Code Section 20-14-41."

419 **SECTION 2-4.**

420 Said title is further amended by revising subsection (b) of Code Section 20-2-2067.1, relating  
 421 to amendment of terms of charter for charter school, initial term of charter, and annual report,  
 422 as follows:

423 "(b) The initial term of a charter, except for a charter system, shall be for a minimum of  
 424 five years, unless the petitioner shall request a shorter period of time, and shall not exceed  
 425 ten years. The local board and the state board, in accordance with Code Section  
 426 20-2-2064.1, may renew a local charter, upon the request of the charter school, for the  
 427 period of time specified in the request, not to exceed ten years. The state board may renew  
 428 a state chartered special school, upon the request of the school, for the period of time  
 429 specified in the request, not to exceed ten years. The initial term of a charter for a charter  
 430 system shall not exceed ~~five~~ six years. The state board may renew the charter of a charter  
 431 system, upon the request of the local board, for the period of time specified in the request,  
 432 not to exceed ten years."

433 **SECTION 2-5.**

434 Said title is further amended by adding a new subsection to Code Section 20-14-41, relating  
 435 to appropriate levels of intervention for failing schools, master or management team, school  
 436 improvement team, annual reports, data revision, and hearing, to read as follows:

437 "(h)(1) The State Board of Education shall prepare an annual report detailing the schools  
 438 that have received an unacceptable rating for one or more consecutive years and the  
 439 interventions applied to each such school pursuant to Code Section 20-14-41.  
 440 (2) The State Board of Education shall provide the annual report no later than December  
 441 31 for the previous academic year, to the Governor, the Lieutenant Governor, the Speaker  
 442 of the House of Representatives, the chairpersons of the House Committee on Education  
 443 and the Senate Education and Youth Committee, and the Education Turnaround Advisory  
 444 Committee."

445 **PART III**

446 **SECTION 3-1.**

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