

## HOUSE SUBSTITUTE TO SENATE BILL 3

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
2 elementary and secondary education, so as to enact the "Creating Opportunities Needed Now  
3 to Expand Credentialed Training (CONNECT) Act"; to provide for industry credentialing  
4 for students who complete certain focused programs of study; to provide for industry  
5 credentialing in individual graduation plans; to provide for the identification of certain  
6 critical and emerging occupations; to amend Title 40 of the Official Code of Georgia  
7 Annotated, relating to motor vehicles and traffic, so as to provide for automated traffic  
8 enforcement safety devices in school zones; to provide for definitions; to revise civil  
9 monetary penalties for a driver of a vehicle meeting or overtaking a school bus stopped on  
10 the highway where there are in operation on the school bus certain visual signs; to clarify  
11 exceptions; to provide for the operation of automated traffic enforcement safety devices by  
12 agents or registered or certified peace officers; to provide for automated traffic enforcement  
13 safety device testing exceptions and procedures; to provide for automated traffic enforcement  
14 safety device use warning signs; to provide for further exceptions for when case may be  
15 made and conviction had for exceeding posted speed limit by less than ten miles per hour;  
16 to provide for an exception for the ratio of speeding fines to an agency budget; to provide for  
17 civil enforcement of violations recorded by automated traffic enforcement safety devices; to  
18 provide for rules, regulations, and terms of use for automated traffic enforcement safety  
19 devices; to provide for a short title; to provide for related matters; to repeal conflicting laws;  
20 and for other purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

22 **PART I**  
23 **SECTION 1-1.**

24 This part shall be known and may be cited as the "Creating Opportunities Needed Now to  
25 Expand Credentialed Training (CONNECT) Act."

26 **SECTION 1- 2.**

27 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
 28 secondary education, is amended by revising Code Section 20-2-145.1, relating to career  
 29 education, as follows:

30 "20-2-145.1.

31 The State Board of Education shall prescribe a minimum course of study in career  
 32 education for students in grades ~~kindergarten~~ six through 12. Such minimum course of  
 33 study shall be age appropriate and shall include, but not be limited to, ~~career awareness,~~  
 34 ~~career exploration;~~ and career oriented learning experiences. Career oriented learning  
 35 experiences shall include, but not be limited to, participation in work based learning  
 36 programs such as internships, apprenticeships, cooperative education, or employability skill  
 37 development. The State Board of Education shall ensure that career oriented learning  
 38 experiences include rigorous industry credentialing, as defined in Code Section 20-2-326,  
 39 if such rigorous industry credentialing has been created or endorsed by Georgia  
 40 employers."

41 **SECTION 1-3.**

42 Said chapter is further amended by revising Code Section 20-2-159.1, relating to focused  
 43 programs of study, as follows:

44 "20-2-159.1.

45 (a) The ~~No later than July 1, 2013,~~ the Department of Education shall develop, and the  
 46 State Board of Education shall approve, state models and industry required content  
 47 standards, after consultation with industries in Georgia and in collaboration with the  
 48 Technical College System of Georgia and the University System of Georgia to ensure  
 49 alignment with postsecondary opportunities, for the following focused programs of study,  
 50 as defined in Code Section 20-2-326, including, but not limited to:

- 51 (1) Agriculture, food, and natural resources;
- 52 (2) Architecture and construction;
- 53 (3) Arts, audio-video technology, and communications;
- 54 (4) Business, management, and administration;
- 55 (5) Education and training;
- 56 (6) Finance;
- 57 (7) Health science;
- 58 (8) Hospitality and tourism;
- 59 (9) Human services;
- 60 (10) Information technology;
- 61 (11) Law, public safety, and security;

- 62 (12) Manufacturing;  
 63 (13) Government and public administration;  
 64 (14) Marketing, sales, and service;  
 65 (15) Science, technology, engineering, and mathematics; ~~and~~  
 66 (16) Transportation, distribution, and logistics; and  
 67 (17) Energy.

68 Such focused programs of study may be combined around these and other related clusters.

69 (b) The focused programs of study established pursuant to this Code section may include  
 70 or be revised to include industry certifications or industry credentialing, as defined in Code  
 71 Section 20-2-326, pertinent to any such focused program of study. After consultation with  
 72 employers and industries in Georgia, the Department of Education and the Technical  
 73 College System of Georgia shall jointly establish a list of industry credentials that are  
 74 required by Georgia employers. Such list shall be made available on the Department of  
 75 Education and the Technical College System of Georgia websites. Such list shall be  
 76 annually reviewed and updated as appropriate and made available prior to the beginning  
 77 of the annual competitive grant application process provided for in subsection (j) of Code  
 78 Section 20-2-260.

79 (c) Local school systems, charter schools, and college and career academies shall be  
 80 authorized to develop and submit additional pathways, including recommended content  
 81 standards, for consideration by the State Board of Education. The Department of  
 82 Education shall review and recommend approval or denial of any new pathway to the State  
 83 Board of Education within 90 days of submission of such pathway for consideration."

84 **SECTION 1-4.**

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

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

- 91 (1) Advanced placement exams;  
 92 (2) ACT course assessment;  
 93 (3) Industry-specific certificates and ~~credentials~~ industry credentialing, as defined in  
 94 Code Section 20-2-326, for career, technical, and agricultural education courses;  
 95 (4) College Level Examination Program (CLEP) exams; and  
 96 (5) Nationally recognized foreign language performance assessments.

97 The state board shall establish a process for reviewing and approving performance based  
 98 assessments developed commercially, by the state, or by a local school system. Initially,  
 99 the state board shall limit the number of credits earned through such educational options to  
 100 three credits per student until the practice is proven to yield student outcomes at least  
 101 equivalent to those found in standard seat-time courses. The policy shall ensure that credit  
 102 for demonstrated proficiency is reported on student transcripts in the same way that  
 103 seat-time credit is recorded. The state board shall review such policy after three years to  
 104 determine if student outcomes from these educational options are equivalent to, if not better  
 105 than, student outcomes in traditional courses."

#### 106 SECTION 1-5.

107 Said chapter is further amended by revising subsection (b) of Code Section 20-2-161.2,  
 108 relating to work based learning programs, as follows:

109 "(b) Any student aged ~~16~~ 15 or over in any public school in this state may enroll in a work  
 110 based learning program which is offered at that public school and which is approved for  
 111 secondary credit by the department. Such student shall be granted release time from the  
 112 public school to work as a student learner for any business or governmental enterprise  
 113 which is approved by the local work based learning coordinator as a qualified employer  
 114 pursuant to this Code section and work based learning program guidelines established by  
 115 the department. A student shall receive secondary credit for such work based learning only  
 116 under the conditions established by the department. The department is authorized to  
 117 establish work based learning programs and guidelines to assist local school systems in  
 118 operating such programs and to promulgate such policies, standards, procedures, criteria,  
 119 and administrative requirements as may be necessary to implement the program by rules  
 120 and regulations. The work based learning programs established pursuant to this Code  
 121 section may include, but not be limited to, employability skill development, ~~service~~  
 122 ~~learning~~, cooperative education, internships, and youth apprenticeships. The department  
 123 shall collaborate with the Department of Labor and the Technical College System of  
 124 Georgia in developing such policies and procedures. The department's work based learning  
 125 programs shall include but not be limited to the following:

- 126 (1) A detailed training agreement and training plan between employer and student that  
 127 identifies specific work tasks that will develop workplace competency;
- 128 (2) A minimum of one unit of credit in a career pathway course related to the work based  
 129 learning placement;
- 130 (3) A minimum number of hours of on-the-job training as required in the department's  
 131 guidelines for awarding secondary credit;
- 132 (4) On-site evaluation of the student's performance;

- 133 (5) Training remediation as necessary at the school site;
- 134 (6) A broad range of skills but shall be focused on skills related to the student's career  
135 pathway;
- 136 (7) Development of materials by the business, industry, and labor community in  
137 conjunction with the department to promote the awareness of work based learning  
138 opportunities for high school students and encourage recruitment; and
- 139 (8) Structural linkage between secondary and postsecondary components of the program  
140 leading to the awarding of a high school diploma and a postsecondary credential, which  
141 may include industry credentialing, as defined in Code Section 20-2-326, related to the  
142 student's career pathway."

143 **SECTION 1-6.**

144 Said chapter is further amended by revising paragraph (5) of and adding a new paragraph to  
145 subsection (b) and by revising paragraph (5) of subsection (c) and subsections (j) and (k) of  
146 Code Section 20-2-260, relating to capital outlay funds generally, as follows:

147 "(5) 'Educational facilities' shall include buildings, fixtures, and equipment necessary for  
148 the effective and efficient operation of the program of public education required by this  
149 article, which, without limiting the generality of the foregoing, shall include classrooms,  
150 libraries, rooms and space for physical education, space for fine arts, restrooms,  
151 specialized laboratories, cafeterias, media centers, building equipment, building fixtures,  
152 furnishings, career, technical, and agricultural education labs and facilities to support  
153 industry credentialing, related exterior facilities, landscaping and paving, and similar  
154 items which the State Board of Education may determine necessary. The following  
155 facilities are specifically excluded: swimming pools, tracks, stadiums, and other facilities  
156 or portions of facilities used primarily for athletic competition and the central and area  
157 administrative offices of local units of administration."

158 "(8.1) 'Industry credentialing' shall have the same meaning as in Code Section 20-2-326."

159 "(5) To develop a state-wide needs assessment for purposes of planning and developing  
160 policies, anticipating state-wide needs for educational facilities, and providing assistance  
161 to local school systems in developing educational facilities plans. The state-wide needs  
162 assessment shall be developed from, among other sources, vital statistics published by the  
163 Department of Public Health, census data published by the Bureau of the Census, local  
164 school system educational facilities and real property inventories, educational facilities  
165 surveys, full-time equivalent student projection research, and educational facilities  
166 construction plans; shall reflect circumstances where rapid population growth is caused  
167 by factors not reflected in full-time equivalent student projection research; and shall give  
168 priority to elementary school construction. In addition, the state board shall develop a

169 consistent, systematic research approach to full-time equivalent student projections which  
 170 will be used in the development of needs within each local unit. Projections shall not be  
 171 confined to full-time equivalent resident students but shall be based on full-time  
 172 equivalent student counts which include full-time equivalent nonresident students,  
 173 whether or not such full-time equivalent nonresident students attend school pursuant to  
 174 a contract between local school systems and shall also account for properties owned by  
 175 the Technical College System of Georgia for the purposes of a college and career  
 176 academy. The full-time equivalent projection shall be calculated in accordance with  
 177 subsection (m) of this Code section. The survey team will use such projections in  
 178 determining the improvements needed for the five-year planning period. The state board  
 179 shall also develop schedules for allowable square footage and cost per square foot and  
 180 review these schedules annually. The cost estimate for each recommended improvement  
 181 included in the plan shall be based on these schedules. Any increase in cost or square  
 182 footage for a project beyond that allowed by state board schedules for such projects shall  
 183 be the responsibility of the local school system and shall not count toward present or  
 184 future required local participation. The schedules for allowable square footage and cost  
 185 per square foot shall be specified in regulations by the State Board of Education;”

186 “(j) The State Board of Education shall establish an annual competitive grant program for  
 187 renovation, modernization, replacement, or purchase of equipment for the enhancement of  
 188 programs that are currently certified or in the process of achieving industry certification in  
 189 educational facilities that align with industry credentials on the list developed pursuant to  
 190 Code Section 20-2-159.1 or have been (1) linked to an occupation that addresses a critical  
 191 local or state-wide workforce need, (2) linked to an occupation that is identified as part of  
 192 the skilled trade industry, or (3) linked to an occupation that is identified in an emerging  
 193 field or technology. The State Board of Education in awarding grants shall give priority  
 194 to local programs that demonstrate local industry support and postsecondary partnerships  
 195 that are linked to the verified industry need and to chronically low-performing high  
 196 schools. ~~Reserved.~~

197 (k) The State Board of Education shall request separate appropriations for each of the  
 198 following categories:

- 199 (1) Regular entitlements pursuant to subsection (g) of this Code section;  
 200 (2) Regular advance funding projects pursuant to paragraphs (1) through (4) of  
 201 subsection (h) of this Code section;  
 202 (3) Construction projects resulting from the consolidation of schools across local school  
 203 system lines pursuant to paragraph (5) of subsection (h) of this Code section;

- 204 (4) Construction projects resulting from merger of local school systems pursuant to  
 205 subsection (a) of Code Section 20-2-291 or by agreement between two or more local  
 206 school systems; and
- 207 (5) Advance funding projects for consolidation or reorganization of schools pursuant to  
 208 subsection (i) of this Code section; and
- 209 (6) Equipment grants to enhance industry credentialing pursuant to subsection (j) of this  
 210 Code section."

211 **SECTION 1-7.**

212 Said chapter is further amended by revising Code Section 20-2-326, relating to definitions  
 213 relative to the "Building Resourceful Individuals to Develop Georgia's Economy Act," as  
 214 follows:

215 "20-2-326.

216 For purposes of this part, the term:

217 (1) 'Articulation' means agreement between a high school and a postsecondary institution  
 218 regarding the awarding of both secondary and postsecondary credit for a dual enrollment  
 219 course.

220 (2) 'Choice technical high school' means a high school, other than the high school to  
 221 which a student is assigned by virtue of his or her residence and attendance zone, which  
 222 is designed to prepare a high school student for postsecondary education and for  
 223 employment in a career field. A choice technical high school may be operated by a local  
 224 school system or a technical school or college. A choice technical high school may also  
 225 be operated as a charter school under a governance board composed of parents,  
 226 employers, and representatives from the local board of education.

227 (3) 'Chronically low-performing high school' means a public high school in this state that  
 228 has a graduation rate of less than 60 percent for three consecutive years, as determined  
 229 in accordance with methodology established by the National Governors Association's  
 230 Compact on High School Graduation Data, or that has received an unacceptable rating  
 231 for three consecutive years, as defined by the Office of Student Achievement.

232 (4) 'College and career academy' means a specialized school established as a charter  
 233 school or pursuant to a contract for a strategic waivers school system or charter system,  
 234 which formalizes a partnership that demonstrates a collaboration between business,  
 235 industry, and community stakeholders to advance work force development between one  
 236 or more local boards of education, a private individual, a private organization, or a state  
 237 or local public entity in cooperation with one or more postsecondary institutions.

238 (5) 'Focused program of study' means a rigorous academic core combined with a focus  
 239 in mathematics and science; a focus in humanities, fine arts, and foreign language; or a

240 coherent sequence of career pathway courses that is aligned with graduation requirements  
 241 established by the State Board of Education and content standards established pursuant  
 242 to Part 2 of this article that prepares a student for postsecondary education or immediate  
 243 employment after high school graduation.

244 (6) 'Graduation plan' means a student specific plan developed in accordance with  
 245 subsection (c) of Code Section 20-2-327 detailing the courses necessary for a high school  
 246 student to graduate from high school and to successfully transition to postsecondary  
 247 education and the work force.

248 (7) 'Industry certification' means a process of program evaluation that ensures that  
 249 individual programs meet state, national, or international industry standards in the areas  
 250 of curriculum, teacher qualification, lab specifications, equipment, and industry  
 251 involvement.

252 (7.1) 'Industry credentialing' means a process through which students are assessed by an  
 253 independent third-party certifying entity using predetermined standards for knowledge,  
 254 skills, and competencies, resulting in the award of individual certification or state  
 255 licensure or an occupational competency that is state, nationally, or internationally  
 256 recognized.

257 (8) 'Public college or university' means a two-year or four-year college, university, or  
 258 other institution under the auspices of the Board of Regents of the University System of  
 259 Georgia.

260 (9) 'Small learning community' means an autonomous or semiautonomous small learning  
 261 environment within a large high school which is made up of a subset of students and  
 262 teachers for a two-year, three-year, or four-year period. The goal of a small learning  
 263 community is to achieve greater personalization of learning with each community led by  
 264 a principal or instructional leader. A small learning community blends academic studies  
 265 around a broad career or academic theme where teachers have common planning time to  
 266 connect teacher assignments and assessments to college and career readiness standards.  
 267 Students voluntarily apply for enrollment in a small learning community but must be  
 268 accepted, and such enrollment must be approved by the student's parent or guardian. A  
 269 small learning community also includes a college and career academy organized around  
 270 a specific career theme which integrates academic and career instruction, provides work  
 271 based learning opportunities, and prepares students for postsecondary education and  
 272 employment, with support through partnerships with local employers, community  
 273 organizations, and postsecondary institutions.

274 (10) 'Teacher adviser system' means a system where an individual professional educator  
 275 in the school assists a small group of students and their parents or guardians throughout  
 276 the students' high school careers to set postsecondary goals and help them prepare



277 programs of study, utilizing assessments and other data to track academic progress on a  
 278 regular basis; communicates frequently with parents or guardians; and provides  
 279 advisement, support, and encouragement as needed.

280 (11) "Technical school or college" means a ~~school~~, college, institution, or other branch of  
 281 the Technical College System of Georgia."

282 **SECTION 1-8.**

283 Said chapter is further amended by revising subsection (c) of Code Section 20-2-327, relating  
 284 to recognition of advanced proficiency/honors courses and counseling and development of  
 285 individual graduation plans, as follows:

286 "(c) Beginning with the 2010-2011 school year, students in the sixth, seventh, and eighth  
 287 grades shall be provided counseling, advisement, career awareness, career interest and  
 288 career demand inventories, and information to assist them in evaluating their academic  
 289 skills and career interests. Before the end of the second semester of the eighth grade,  
 290 students shall develop an individual graduation plan in consultation with their parents,  
 291 guardians, or individuals appointed by the parents or guardians to serve as their designee.  
 292 High school students shall be provided guidance, advisement, and counseling annually that  
 293 will enable them to successfully complete their individual graduation plans, preparing them  
 294 for a seamless transition to postsecondary study, further training, or employment, including  
 295 information regarding occupations, degrees, industry credentials, certifications, and  
 296 technical skills; work-ready skills in demand by Georgia employers through the  
 297 department's career pipeline website; and other career related inventories made available  
 298 through the Technical College System of Georgia or the Office of Student Achievement.

299 An individual graduation plan shall:

- 300 (1) Include rigorous academic core subjects and focused ~~course-work~~ coursework in  
 301 mathematics and science or in humanities, fine arts, and foreign language or sequenced  
 302 career pathway ~~course-work~~ coursework;
- 303 (2) Incorporate provisions of a student's Individualized Education Program (IEP), where  
 304 applicable;
- 305 (3) Align educational and broad career goals and a student's course of study;
- 306 (4) Be based on the student's selected academic and career focus area as approved by the  
 307 student's parent or guardian;
- 308 (5) Include experience based, career oriented learning experiences which may include,  
 309 but not be limited to, participation in work based learning programs such as internships,  
 310 apprenticeships, cooperative education, ~~service-learning~~, and employability skill  
 311 development;

312 (6) Include any applicable industry credentialing that pertains to the student's focused  
 313 program of study;

314 ~~(6)~~(7) Include opportunities for postsecondary studies through articulation, dual  
 315 enrollment, and joint enrollment;

316 ~~(7)~~(8) Be flexible to allow change in the course of study but be sufficiently structured to  
 317 meet graduation requirements and qualify the student for admission to postsecondary  
 318 education; and

319 ~~(8)~~(9) Be approved by the student and the student's parent or guardian with guidance  
 320 from the student's school counselor or teacher adviser.

321 An individual graduation plan shall be reviewed annually, and revised, if appropriate, upon  
 322 approval by the student and the student's parent or guardian with guidance from the  
 323 student's school counselor or teacher adviser. An individual graduation plan may be  
 324 changed at any time throughout a student's high school career upon approval by the student  
 325 and the student's parent or guardian with guidance from the student's school counselor or  
 326 teacher adviser."

#### 327 **SECTION 1-9.**

328 Said chapter is further amended by adding a new Code section to read as follows:

329 "20-2-327.1.

330 (a) The State Board of Education, in collaboration with the Technical College System of  
 331 Georgia, shall facilitate and encourage industry credentialing for career, technical, and  
 332 agricultural education programs utilizing existing career pathways and individual  
 333 graduation plans. Further, local school systems are authorized and encouraged to align  
 334 competency based career education, along with enhanced work based learning experiences,  
 335 as provided for in Code Section 20-2-161.2, to facilitate and make available to students  
 336 opportunities to receive industry credentialing in critical and emerging occupations in  
 337 Georgia.

338 (b) No later than December 31, 2018, and annually thereafter, the Department of  
 339 Education shall produce a report identifying the industry credentialing attainment levels  
 340 for the previous calendar year. Such report shall include the current and projected regional  
 341 business and industry needs for the purpose of establishing annual goals and strategies to  
 342 increase attainment rates of industry credentialing, including the development of additional  
 343 industry credentials to enhance current industry certified programs."

#### 344 **SECTION 1-10.**

345 Said chapter is further amended by revising Code Section 20-2-328, relating to a competitive  
 346 grant program, as follows:

347 "20-2-328.

348 (a) Subject to appropriations by the General Assembly, the State Board of Education shall  
 349 establish a competitive grant program for local school systems to implement school reform  
 350 measures in selected high schools. The state board shall establish program requirements  
 351 in accordance with the provisions of this Code section and shall establish grant criteria,  
 352 which shall ~~include that priority~~ encourage alignment with industry credentialing, including  
 353 postsecondary partnerships between the Technical College System of Georgia and college  
 354 and career academies and other career, technical, and agricultural education programs in  
 355 high schools. Priority for reform grants shall be given to chronically low-performing high  
 356 schools in accordance with subsection (b) of this Code section or to high schools enhancing  
 357 career, technical, and agricultural education programs to allow for greater attainment of  
 358 industry credentialing in accordance with subsection (b.1) of this Code section.

359 (b)(1) The State Board of Education shall develop an evidence based model program for  
 360 chronically low-performing high schools receiving a reform grant pursuant to this Code  
 361 section for addressing at-risk students, which shall include various programs and  
 362 curricula that have proven to be effective for at-risk students focusing on:

363 (A) Identification of students at risk for being poorly prepared for the next grade level  
 364 or for dropping out of school;

365 (B) Strengthening retention of ninth grade students in school and reducing high failure  
 366 rates;

367 (C) Improving more students' performances to grade level standards in reading and  
 368 mathematics by the end of ninth grade;

369 (D) Assisting students and their parents or guardians in setting an outcome career and  
 370 educational goal and identifying a focused program of study to achieve such goal; and

371 (E) Assisting students in learning and applying study skills, coping skills, and other  
 372 habits that produce successful students and adults.

373 (2) The at-risk model program shall include:

374 (A) Diagnostic assessments to identify strengths and weaknesses in the core academic  
 375 areas;

376 (B) A process for identifying at-risk students, closely monitored by the Department of  
 377 Education in collaboration with local school systems to ensure that students are being  
 378 properly identified and provided timely, appropriate guidance and assistance and to  
 379 ensure that no group is disproportionately represented; and

380 (C) An evaluation component in each high school to ensure the programs are providing  
 381 students an opportunity to graduate with a high school diploma.

382 (3) The at-risk model program may include various components designed to result in  
 383 more students facilitating a successful start in high school and passing ninth grade such  
 384 as:

- 385 (A) Utilizing a flexible schedule that increases students' time in core language  
 386 arts/reading and mathematics studies designed to eliminate academic deficiencies;
- 387 (B) Maintaining a student-teacher ratio in ninth grade that is no higher than any other  
 388 grade level ratio in high school;
- 389 (C) Utilizing experienced and effective teachers as leaders for teacher teams in ninth  
 390 grade to improve instructional planning, delivery, and reteaching strategies;
- 391 (D) Assigning students to a teacher mentor who will meet with them frequently to  
 392 provide planned lessons on study skills and other habits of success that help students  
 393 become independent learners and who will help them receive the assistance they need  
 394 to successfully pass ninth grade; and
- 395 (E) Including ninth grade career courses which incorporate a series of miniprojects  
 396 throughout the school year that require the application of ninth grade level reading,  
 397 mathematics, and science skills to complete while students learn to use a range of  
 398 technology and help students explore a range of educational and career options that will  
 399 assist them in formulating post high school goals and give them a reason to stay in  
 400 school and work toward achieving their stated goals.

401 (b.1) The State Board of Education shall develop criteria for reform grants for high schools  
 402 that enhance career, technical, and agricultural education programs to allow for greater  
 403 attainment of industry credentialing including postsecondary partnerships between the  
 404 Technical College System of Georgia and college and career academies and other career,  
 405 technical, and agricultural education programs in high schools. The grants may also be  
 406 used to require that career, technical, and agricultural education teachers participate in  
 407 industry credentialing training to teach courses that lead to industry credentialing.

408 (c) The State Board of Education shall promulgate rules and regulations for ~~chronically~~  
 409 ~~low-performing~~ high schools receiving a reform grant pursuant to this Code section to  
 410 make the high schools more relevant to and effective for all students. Such rules shall  
 411 encourage high schools to implement a comprehensive school reform research based model  
 412 that focuses on:

- 413 (1) Setting high expectations for all students;
- 414 (2) Personalizing individual graduation plans for students;
- 415 (3) Developing small learning communities or college and career academies with a  
 416 rigorous academic foundation and emphasis in broad career fields of study;
- 417 (4) Using project based instruction embedded with strong academics to improve  
 418 relevancy in learning;

- 419 (5) Fostering collaboration among academic and career/technical teachers;  
 420 (6) Implementing nontraditional scheduling in ninth grade for students behind in their  
 421 grade level;  
 422 (7) Promoting parental involvement; and  
 423 (8) Training teachers to work with low-performing students and their parents or  
 424 guardians.  
 425 (d) This Code section shall be subject to appropriations by the General Assembly."

426 **SECTION 1-11.**

427 Said chapter is further amended by revising Code Section 20-2-329, relating to requirements  
 428 for high schools that receive a reform grant, as follows:

429 "20-2-329.

430 High schools that receive a reform ~~grant~~ grants as chronically low-performing high schools  
 431 pursuant to subsection (b) of Code Section 20-2-328 shall:

432 (1) Provide focused programs of study which are designed to provide a well-rounded  
 433 education for students by fostering artistic creativity, critical thinking, and self-discipline  
 434 through the teaching of academic content, knowledge, and skills that students will use in  
 435 the workplace, further education, and life. The focused programs of study, whether  
 436 provided at a choice technical high school, a college and career academy, a traditional  
 437 high school, or on site at a technical school or college or a public college or university,  
 438 shall be aligned with graduation requirements established by the State Board of Education  
 439 and content standards established pursuant to Part 2 of this article, including, at a  
 440 minimum, four years of mathematics, Algebra I and higher, and four years of English,  
 441 with an emphasis on developing reading and writing skills to meet college and career  
 442 readiness standards or including high school diploma requirements established pursuant  
 443 to Code Section 20-2-149.2;

444 (2) Implement a teacher adviser system;

445 (3) Provide students in the ninth through twelfth grades information on educational  
 446 programs offered in high school, in technical and community colleges, in colleges and  
 447 universities, and through work based learning programs and how these programs can lead  
 448 to a variety of career fields. Local school systems shall provide career awareness and  
 449 exploratory opportunities such as field trips, speakers, educational and career information  
 450 centers, job shadowing, and classroom centers to assist students and their parents or  
 451 guardians, with guidance from school counselors and teacher advisers, in revising, if  
 452 appropriate, the individual graduation plan developed pursuant to subsection (c) of Code  
 453 Section 20-2-327;

454 (4) Enroll students no later than ninth grade into one of the following options for earning  
 455 a high school diploma and preparing students for postsecondary education and a career  
 456 which will include a structured program of academic study with in-depth studies in:

457 (A) Mathematics and science;

458 (B) Humanities, fine arts, and foreign language; or

459 (C) A career pathway that leads to passing an ~~employer certification~~ industry  
 460 credentialing exam in a high demand, high skill, or high wage career field or to an  
 461 associate's degree or bachelor's degree.

462 The awarding of a special education diploma to any disabled student who has not  
 463 completed all of the requirements for a high school diploma, but who has completed his  
 464 or her Individualized Education Program (IEP) shall be deemed to meet the requirements  
 465 of this paragraph;

466 (5) Implement the at-risk model program developed by the State Board of Education  
 467 pursuant to subsection (b) of Code Section 20-2-328;

468 (6) Comply with the rules and regulations promulgated by the State Board of Education  
 469 for chronically low-performing high schools pursuant to subsection (c) of Code Section  
 470 20-2-328; and

471 (7) Schedule annual conferences to assist students and their parents or guardians in  
 472 setting educational and career goals and creating individual graduation plans beginning  
 473 with students in the eighth grade and continuing through high school. These conferences  
 474 shall include, but are not limited to, assisting the student in identifying educational and  
 475 career interests and goals, selecting a career and academic focus area, and developing an  
 476 individual graduation plan."

## 477 PART II

### 478 SECTION 2-1.

479 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
 480 amended by revising subparagraph (d)(3)(A) in Code Section 40-6-163, relating to duty of  
 481 driver of vehicle meeting or overtaking school bus, reporting of violations, and enforcement,  
 482 as follows:

483 "(A) The driver of a motor vehicle shall be liable for a civil monetary penalty if such  
 484 vehicle is found, as evidenced by recorded images, to have been operated in disregard  
 485 or disobedience of subsection (a) of this Code section and such disregard or  
 486 disobedience was not otherwise authorized by law; provided, however, that the driver  
 487 of a vehicle upon a highway with separate roadways need not stop upon meeting or  
 488 passing a school bus which is on a different roadway, or upon a controlled-access

489 highway when the school bus is stopped in a loading zone which is a part of or adjacent  
 490 to such highway and where pedestrians are not permitted to cross the highway as  
 491 provided for in subsection (b) of this Code section. The amount of such fine shall be  
 492 \$300.00 for a first offense, \$750.00 for a second offense, and \$1,000.00 for each  
 493 subsequent offense in a five-year period;"

494 **PART III**

495 **SECTION 3-1.**

496 Said title is further amended in Article 2 of Chapter 14, relating to speed detection devices,  
 497 by adding two new Code sections to read as follows:

498 "40-14-1.1.

499 As used in this article, the term:

500 (1) 'Agent' means a person or entity who is authorized by a law enforcement agency or  
 501 governing body to administer the procedures contained herein and:

502 (A) Provides services to such law enforcement agency or governing body;

503 (B) Operates, maintains, leases, or licenses an automated traffic enforcement safety  
 504 device; or

505 (C) Is authorized by such law enforcement agency or governing body to review and  
 506 assemble the recorded images captured by the automated traffic enforcement safety  
 507 device for review by a peace officer.

508 (2) 'Automated traffic enforcement safety device' means a speed detection device that:

509 (A) Is capable of producing photographically recorded still or video images, or both,  
 510 of the rear of a motor vehicle or of the rear of a motor vehicle being towed by another  
 511 vehicle, including an image of such vehicle's rear license plate;

512 (B) Is capable of monitoring the speed of a vehicle as photographically recorded  
 513 pursuant to subparagraph (A) of this paragraph; and

514 (C) Indicates on each of the one or more photographically recorded still or video  
 515 images produced the date, time, location, and speed of a photographically recorded  
 516 vehicle traveling at a speed above the posted speed limit within a marked school zone.

517 (3) 'Owner' means the registrant of a motor vehicle, except that such term shall not  
 518 include a motor vehicle rental company when a motor vehicle registered by such  
 519 company is being operated by another person under a rental agreement with such  
 520 company.

521 (4) 'Recorded images' means still or video images recorded by an automated traffic  
 522 enforcement safety device.

523 (5) 'School zone' means any roadway within 1,000 feet of the perimeter of the property  
 524 of any public or private elementary school or secondary school.

525 40-14-1.2.

526 Nothing in this article shall be construed to mean that an agent is providing or participating  
 527 in private investigative services or acting in such a manner as would render such agent  
 528 subject to the provisions of Article 4 of Chapter 18 of Title 50."

529 **SECTION 3-2.**

530 Said title is further amended by revising subsection (c) of Code Section 40-14-2, relating to  
 531 permit required for use of speed detection devices, use not authorized where officers paid on  
 532 fee system, and operation by registered or certified peace officers, as follows:

533 "(c) A permit shall not be issued by the Department of Public Safety to an applicant under  
 534 this Code section unless the applicant provides law enforcement services by certified peace  
 535 officers 24 hours a day, seven days a week on call or on duty or allows only peace officers  
 536 employed full time by the applicant to operate speed detection devices. Speed detection  
 537 devices can only be operated by registered or certified peace officers of the county sheriff,  
 538 county, municipality, college, or university to which the permit is applicable; provided,  
 539 however, that an automated traffic enforcement safety device may be operated by an agent  
 540 or registered or certified peace officers of the county sheriff, county, or municipality to  
 541 which the permit is applicable. Persons operating the speed detection devices must be  
 542 registered or certified by the Georgia Peace Officer Standards and Training Council as  
 543 peace officers and certified by the Georgia Peace Officer Standards and Training Council  
 544 as operators of speed detection devices; provided, however, that agents may operate  
 545 automated traffic enforcement safety devices without such registrations or certifications."

546 **SECTION 3-3.**

547 Said title is further amended by revising Code Section 40-14-5, relating to testing and  
 548 removal of inaccurate radar devices from service, as follows:

549 "40-14-5.

550 (a) Each state, county, municipal, or campus law enforcement officer using a radar device,  
 551 except for an automated traffic enforcement safety device as provided for under Code  
 552 Section 40-14-18, shall test the device for accuracy and record and maintain the results of  
 553 the test at the beginning and end of each duty tour. Each such test shall be made in  
 554 accordance with the manufacturer's recommended procedure. Any radar unit not meeting  
 555 the manufacturer's minimum accuracy requirements shall be removed from service and  
 556 thereafter shall not be used by the state, county, municipal, or campus law enforcement



557 agency until it has been serviced, calibrated, and recertified by a technician with the  
558 qualifications specified in Code Section 40-14-4.

559 (b) Each county, municipal, or campus law enforcement officer using a radar device,  
560 except for an automated traffic enforcement safety device as provided for under Code  
561 Section 40-14-18, shall notify each person against whom the officer intends to make a case  
562 based on the use of the radar device that the person has a right to request the officer to test  
563 the radar device for accuracy. The notice shall be given prior to the time a citation and  
564 complaint or ticket is issued against the person and, if requested to make a test, the officer  
565 shall test the radar device for accuracy. In the event the radar device does not meet the  
566 minimum accuracy requirements, the citation and complaint or ticket shall not be issued  
567 against the person, and the radar device shall be removed from service and thereafter shall  
568 not be used by the county, municipal, or campus law enforcement agency until it has been  
569 serviced, calibrated, and recertified by a technician with the qualifications specified in  
570 Code Section 40-14-4.

571 (c)(1) The law enforcement agency, or agent on behalf of the law enforcement agency,  
572 operating an automated traffic enforcement safety device provided for under Code  
573 Section 40-14-18 shall maintain a log for the automated traffic enforcement safety device  
574 attesting to the performance of such device's self-test at least once every 30 days and the  
575 results of such self-test pertaining to the accuracy of the automated traffic enforcement  
576 safety device. Such log shall be admissible in any court proceeding for a violation issued  
577 pursuant to Code Section 40-14-18.

578 (2) The law enforcement agency, or agent on behalf of the law enforcement agency,  
579 operating an automated traffic enforcement safety device shall have performed an  
580 independent calibration test on the automated traffic enforcement safety device at least  
581 once every 12 months. The results of such calibration test shall be admissible in any  
582 court proceeding for a violation issued pursuant to Code Section 40-14-18."

583 **SECTION 3-4.**

584 Said title is further amended by adding a new subsection to Code Section 40-14-6, relating  
585 to the requirement for warning signs, to read as follows:

586 "(c) In addition to the signs required under subsections (a) and (b) of this Code section,  
587 each law enforcement agency using an automated traffic enforcement safety device as  
588 provided for in Code Section 40-14-18 shall erect signs warning of the use of a stationary  
589 speed detection device within the approaching school zone. Such signs shall be at least 24  
590 by 30 inches in area, shall be visible plainly from every lane of traffic, shall be viewable  
591 in all traffic conditions, and shall not be placed in such a manner that the view of such sign  
592 is subject to being obstructed by any other vehicle on such highway. Such signs shall be

593 placed within 500 feet prior to the warning sign announcing the reduction of the speed limit  
 594 for the school speed zone."

595 **SECTION 3-5.**

596 Said title is further amended by revising Code Section 40-14-7, relating to the visibility of  
 597 a vehicle from which a speed detection device is operated, as follows:

598 "40-14-7.

599 ~~No~~ Except as provided for in Code Section 40-14-18, no stationary speed detection device  
 600 shall be employed by county, municipal, college, or university law enforcement officers  
 601 where the vehicle from which the device is operated is obstructed from the view of  
 602 approaching motorists or is otherwise not visible for a distance of at least 500 feet."

603 **SECTION 3-6.**

604 Said title is further amended by revising subsection (b) of Code Section 40-14-8, relating to  
 605 when case may be made and conviction had, as follows:

606 "(b) The limitations contained in subsection (a) of this Code section shall not apply in  
 607 properly marked school zones one hour before, during, and one hour after the normal hours  
 608 of school operation or programs for care and supervision of students before school, after  
 609 school, or during vacation periods as provided for under Code Section 20-2-65, in properly  
 610 marked historic districts, and in properly marked residential zones. For purposes of this  
 611 chapter, thoroughfares with speed limits of 35 miles per hour or more shall not be  
 612 considered residential districts. For purposes of this Code section, the term 'historic  
 613 district' means a historic district as defined in paragraph (5) of Code Section 44-10-22 and  
 614 which is listed on the Georgia Register of Historic Places or as defined by ordinance  
 615 adopted pursuant to a local constitutional amendment."

616 **SECTION 3-7.**

617 Said title is further amended by revising subsection (d) of Code Section 40-14-11, relating  
 618 to investigations by the commissioner of public safety, issuance of order suspending or  
 619 revoking a permit, and ratio of speeding fines to agency's budget, as follows:

620 "(d) There shall be a rebuttable presumption that a law enforcement agency is employing  
 621 speed detection devices for purposes other than the promotion of the public health, welfare,  
 622 and safety if the fines levied based on the use of speed detection devices for speeding  
 623 offenses are equal to or greater than 35 percent of a municipal or county law enforcement  
 624 agency's budget. For purposes of this Code section, fines collected for citations issued for  
 625 violations of Code Section 40-6-180 shall be included when calculating total speeding fine  
 626 revenue for the agency; provided, however, that fines for speeding violations exceeding 20

627 miles per hour over the established speed limit and fines for speeding violations issued  
 628 pursuant to Code Section 40-14-18 shall not be considered when calculating total speeding  
 629 fine revenue for the agency."

630

### SECTION 3-8.

631 Said title is further amended by adding a new Code section to read as follows:

632 "40-14-18.

633 (a) The speed limit within any school zone as provided for in Code Section 40-14-8 and  
 634 marked pursuant to Code Section 40-14-6 may be enforced by using recorded images for  
 635 violations which occurred during the time periods relative to normal hours of school  
 636 operation and programs of care and supervision of students as provided for in Code Section  
 637 40-14-8 when such violations are in excess of ten miles per hour over the speed limit.

638 (b) For the purpose of enforcement pursuant to this Code section:

639 (1) The driver of a motor vehicle shall be liable for a civil monetary penalty if such  
 640 vehicle is found, as evidenced by recorded images, to have been operated in disregard or  
 641 disobedience of the speed limit within any school zone and such disregard or  
 642 disobedience was not otherwise authorized by law. The amount of such fine shall be  
 643 \$125.00, in addition to fees associated with the electronic processing of such fine which  
 644 shall not exceed \$25.00; provided, however, that for a period of 30 days after an  
 645 automated traffic enforcement safety device is first introduced within a school system,  
 646 other than an automated traffic enforcement safety device replacing a previously used  
 647 automated traffic enforcement safety device, the driver of a motor vehicle shall not be  
 648 liable for a civil monetary penalty but shall be issued a civil warning for disregard or  
 649 disobedience of the speed limit within the school zone;

650 (2) A law enforcement agency authorized to enforce the speed limit of a school zone  
 651 shall send by first class mail addressed to the owner of the motor vehicle postmarked  
 652 within 30 days after obtaining the name and address of the owner of the motor vehicle but  
 653 no later than 60 days after the date of the alleged violation:

654 (A) A citation for the alleged violation, which shall include the date and time of the  
 655 violation, the location of the infraction, the maximum speed at which such motor  
 656 vehicle was traveling in recorded images, the maximum speed applicable within such  
 657 school zone, the civil warning or the amount of the civil monetary penalty imposed, and  
 658 the date by which a civil monetary penalty shall be paid;

659 (B) An image taken from the recorded images showing the vehicle involved in the  
 660 infraction;

661 (C) A website address where recorded images showing the vehicle involved in the  
662 infraction and a duplicate of the information provided for in this paragraph may be  
663 viewed;

664 (D) A copy of a certificate sworn to or affirmed by a certified peace officer employed  
665 by a law enforcement agency authorized to enforce the speed limit of the school zone  
666 and stating that, based upon inspection of recorded images, the owner's motor vehicle  
667 was operated in disregard or disobedience of the speed limit in the marked school zone  
668 and that such disregard or disobedience was not otherwise authorized by law;

669 (E) A statement of the inference provided by paragraph (4) of this subsection and of  
670 the means specified therein by which such inference may be rebutted;

671 (F) Information advising the owner of the motor vehicle of the manner and time in  
672 which liability as alleged in the citation may be contested through an administrative  
673 hearing; and

674 (G) A warning that failure to pay the civil monetary penalty or to contest liability in  
675 a timely manner as provided for in subsection (d) of this Code section shall waive any  
676 right to contest liability;

677 (3) Proof that a motor vehicle was operated in disregard or disobedience of the speed  
678 limit of the marked school zone shall be evidenced by recorded images. A copy of a  
679 certificate sworn to or affirmed by a certified peace officer employed by a law  
680 enforcement agency and stating that, based upon inspection of recorded images, a motor  
681 vehicle was operated in disregard or disobedience of the speed limit in the marked school  
682 zone and that such disregard or disobedience was not otherwise authorized by law shall  
683 be prima-facie evidence of the facts contained therein; and

684 (4) Liability under this Code section shall be determined based upon a preponderance of  
685 the evidence. Prima-facie evidence that the vehicle described in the citation issued  
686 pursuant to this Code section was operated in violation of the speed limit of the school  
687 zone, together with proof that the defendant was, at the time of such violation, the  
688 registered owner of the vehicle, shall permit the trier of fact in its discretion to infer that  
689 such owner of the vehicle was the driver of the vehicle at the time of the alleged  
690 violation. Such an inference may be rebutted if the owner of the vehicle:

691 (A) Testifies under oath in open court or submits to the court a sworn notarized  
692 statement that he or she was not the operator of the vehicle at the time of the alleged  
693 violation and identifies the name of the operator of the vehicle at the time of the alleged  
694 violation; or

695 (B) Presents to the court a certified copy of a police report showing that the vehicle had  
696 been reported to the police as stolen prior to the time of the alleged violation.

697 (c) A violation for which a civil warning or a civil penalty is imposed pursuant to this  
698 Code section shall not be considered a moving traffic violation for the purpose of points  
699 assessment under Code Section 40-5-57. Such violation shall be deemed noncriminal, and  
700 imposition of a civil warning or civil penalty pursuant to this Code section shall not be  
701 deemed a conviction and shall not be made a part of the operating record of the person  
702 upon whom such liability is imposed, nor shall it be used for any insurance purposes in the  
703 provision of motor vehicle insurance coverage.

704 (d) If a person issued and mailed a citation pursuant to subsection (b) of this Code section  
705 fails to pay the penalty for the violation or has not filed a police report or notarized  
706 statement pursuant to paragraph (4) of subsection (b) of this Code section in no less than 30  
707 nor more than 60 days after such mailing as determined and noticed by the law  
708 enforcement agency, the agent or law enforcement agency shall send to such person by first  
709 class mail a second notice of any unpaid civil penalty, except in cases where there is an  
710 adjudication that no violation occurred or there is otherwise a lawful determination that no  
711 civil penalty shall be imposed. The second notice shall include all information required in  
712 paragraph (2) of subsection (b) of this Code section and shall include a new date of return  
713 which shall be no less than 30 days after such mailing as determined and noticed by the law  
714 enforcement agency. If such person notified by second notice again fails to pay the penalty  
715 or file a police report or notarized statement pursuant to paragraph (4) of subsection (b) of  
716 this Code section by the new date of return, such person shall have waived the right to  
717 contest the violation and shall be liable for the civil monetary penalty provided for under  
718 this Code section, except in cases where there is an adjudication that no violation occurred  
719 or there is otherwise a lawful determination that no civil penalty shall be imposed.

720 (e) Notices mailed by first class mail pursuant to this Code section shall be adequate  
721 notification of the fees and penalties imposed by this Code section. No other notice shall  
722 be required for the purposes of this Code section.

723 (f) Any court having jurisdiction over violations of the speed limit in the school zone shall  
724 have jurisdiction over cases arising under this Code section and shall be authorized to  
725 impose the civil monetary penalty. The provisions of law governing jurisdiction,  
726 procedure, defenses, adjudication, appeal, and payment and distribution of penalties  
727 otherwise applicable to violations of the speed limit in the school zone shall apply to  
728 enforcement under this Code section, except as otherwise provided in this Code section;  
729 provided, however, that any appeal from superior or state court shall be by application in  
730 the same manner as that provided by Code Section 5-6-35.

731 (g) Recorded images made for purposes of this Code section shall not be a public record  
732 for purposes of Article 4 of Chapter 18 of Title 50.

733 (h) A civil warning or penalty under this Code section on the owner of a motor vehicle  
734 shall not be imposed if the operator of the vehicle was arrested or issued a citation and  
735 notice to appear by a peace officer for the same violation."

736

**PART IV**

737

**SECTION 4-1.**

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