The House Committee on Education offers the following substitute to HB 86:

A BILL TO BE ENTITLED AN ACT

1. To amend Part 11 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to complaints
2. policy for teachers , so as to provide a separate REVIEW process for unsatisfactory performance ratings contained in personnel
3. evaluations for teachers; to provide for the establishment of evidence-based REVIEW policies by local units
4. of administration; to provide for REVIEWS to be conducted by independent third parties or system administrators; to require
5. local units of administration to submit copies of their REVIEW policies to the Department of Education; to provide for related
6. matters; to repeal conflicting laws; and for other purposes.
7. BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

# SECTION 1.

1. Part 11 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to REVIEW policy for teachers,
2. is amended by revising Code Section 20-2-989.7, relating to matters not subject to complaint, as follows: 15 "20-2-.7.
3. (a)(1 Except as otherwise provided in paragraph (2) of this subsection, the ~~The~~
4. Performance ratings contained in personnel evaluations conducted pursuant to Code
5. Section 20-2-210, shall be subject to REVIEW under the provisions of this part; this shall

ALSO apply to procedural deficiencies on the part of the local school system or charter

1. school in conducting an evaluation pursuant to Code Section 20-2-210.
2. (2) For teachers whose summative performance has been rated ‘Unsatisfactory’ (~~or another substitute term~~ (Ineffective or
3. Needs Development) contained in personnel evaluations conducted pursuant to Code Section
4. 20-2-210, procedural deficiencies on the part of the local school system or charter school
5. in conducting an evaluation pursuant to Code Section 20-2-210,
6. shall be subject to REVIEW pursuant to this paragraph. Local units of administration shall
7. establish a REVIEW policy that shall allow a teacher to have a summative performance rating of
8. 'Unsatisfactory' reviewed by a neutral third party chosen by the local unit of administration.
9. Such review policy shall include: a method and reasonable timelines for filing a review that minimize the burden on both
10. parties and allows both parties to submit strong supporting evidence, a statement that a teacher shall not be the subject of
11. any reprisal as a result of filing a review request pursuant to this paragraph, a provision that a Review may be
12. conducted by an independent third party or by an administrator trained in the evaluation process in the system office on
13. behalf of the school official or local unit of administration, and a method to receive the
14. decision of the independent third party or system administrator. The local unit of administration shall
15. set forth in the policy the process for the final decision. Should any reprisal
16. occur, the teacher may refer the matter to the Professional Standards Commission. Each
17. local unit of administration shall submit a copy of its REVIEW policy established pursuant
18. to this paragraph to the Department of Education no later than September 1, 2020, and
19. any time thereafter if material changes are made to such policy.
20. (3) The termination, nonrenewal, demotion, suspension, or reprimand of any employee,
21. as set forth in Code Section 20-2-940, and the revocation, suspension, or denial of
22. certificates of any employee, as set forth in Code Section 20-2-984.5, shall not be subject
23. to complaint under the provisions of this part.
24. (b) A certified employee who chooses to appeal under Code Section 20-2-1160 shall be
25. barred from pursuing the same complaint under this part."

# SECTION 2.

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