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March 28, 2017

FY18 Budget Sent to Deal; Low-Performing Schools Bill Nears Completion

The House and Senate completed work last Wednesday on the one piece of legislation that, according to the Georgia Constitution, must be passed each year—the state budget. When signed by Gov. Nathan Deal, each Georgia Family Connection Collaborative’s appropriation will increase from \$47,000 to \$48,500 in FY18.

Low-Performing Schools

The Senate Education and Youth Committee met last week and passed a revised version of [HB 338](#) (Rep. Kevin Tanner, 9th). The full Senate passed that version on Friday by a vote of 37-18. If the House agrees to the Senate’s changes, the bill will be sent to Deal for review.

The most notable change made by the committee was to the legislation’s name, which is now the “First Priority Act—Helping Turnaround Schools Put Students First.” The committee also changed the composition of the Education Turnaround Advisory Council (ETAC), including reducing the council’s size.

Under the revised bill, each of the two appointees by the Lt. Governor and House Speaker must be an educational leader, which is defined as a local board member, superintendent, teacher, business leader, or “other appropriate individuals with interest in public education.” The financing of the legislation is clarified so that the State Board of Education is responsible for ensuring “that all necessary department resources and supports are made available.”

The Governor's Office of Student Achievement (GOSA) will be responsible for ensuring that low-performing schools receive priority for receiving federal and state funds when awarding grants. Funds for the First Priority Act were also included in the final version of the FY18 budget.

Adoption Reform

A substitute version of [HB 159](#) (Rep. Bert Reeves, 34th) was amended by the Senate Judiciary Committee to allow state-funded private agencies to refuse to place children with same-sex parents. The bill was then sent to the Senate Rules Committee, which recommitted the bill to the Senate Judiciary Committee for further discussion. That committee has not yet taken further action, so it's uncertain if HB 159 will be passed this year.

Budget

A joint House-Senate conference committee began work on March 17, and agreed on the FY18 budget on March 22.

Highlights of the final budget that will be sent to Deal include:

Department of Behavioral Health and Developmental Disabilities (DBHDD)

- The House eliminated a one-time \$10,000 appropriation for Rockdale Cares, and the Senate restored those funds in its version. The conference committee agreed with the Senate position.
- The House eliminated a one-time \$300,000 appropriation for instrument development associated with the juvenile code rewrite. The Senate restored those funds in its version, and the conference committee agreed with the Senate position.
- The governor's budget included \$6 million for one Behavioral Health Crisis Center, and the House and Senate agreed.

Department of Community Affairs (DCA)

The governor's budget eliminated a one-time \$25,000 appropriation for the Second Harvest of South Georgia food bank. The House restored that appropriation, and the Senate took it back out in its version. The conference committee agreed to leave the \$25,000 funding in place to continue to provide assistance for victims of storm damage.

Department of Community Health (DCH)

- The House added \$500,000 for start-up grants for two Federally Qualified Health Centers (FQHCs) in Cook and Lincoln counties. The Senate increased the funding to \$750,000 for three FQHCs in Cook, Seminole, and Lowndes counties. The conference committee agreed to include \$1 million for start-up grants for four FQHCs in Cook, Lincoln, Seminole, and Lowndes counties.
- The House added \$250,000 for the Center for Rural Health Support and Study at Augusta University. The Senate removed the funding and added language instructing the DCH to conduct an analysis of technical assistance available at public and private medical colleges and universities to determine an appropriate location and structure of a center of excellence for rural health, and to support it if funds are appropriated in FY19. The conference committee agreed with the Senate position and language.

- The governor included funds for a 5-percent reimbursement rate increase for select dental codes, and the House agreed. The Senate increased those funds to include a 10-percent reimbursement rate increase for select dental codes. The conference committee agreed to the 10-percent reimbursement rate increase.
- The Senate added \$595,653 in state funds (\$1.88 million total) for a \$500 add-on payment for newborn delivery in rural counties with a population less than 35,000. The conference committee agreed with the Senate's addition.

Department of Corrections (DOC)

The governor added \$162,922 to increase funds for merit-based pay adjustments, employee recruitment, or retention initiatives for Department of Juvenile Justice medical personnel, effective July 1, 2017, and the House agreed. The Senate deleted those funds, and the conference committee agreed with the Senate.

Department of Early Care and Learning (DECAL)

- The governor's budget transferred 135 Childcare and Parent Services (CAPS) positions from the Department of Human Services (DHS) to DECAL. The House and Senate agreed. The conference committee did not agree with the House and Senate, so the positions will remain at the DHS.
- The conference committee included \$357,718 for the DECAL foundation as authorized by [HB 463](#) (Rep. Katie Dempsey, 13th).

Department of Education (GaDOE)

- The Senate included \$15,000 for Dougherty County to plan and develop a project with AmeriCorps that supports elementary-level reading and math programs. The conference committee deleted the funding in this line item and added language stating the funds would be reflected in innovation grants in the GOSA program.
- The governor included \$1.27 million for personnel for Positive Behavior and Intervention Support (PBIS) specialists to convert part-time staff to full-time staff. The Senate eliminated those proposed funds, instructed the GaDOE to use \$1.16 million in existing funds for that purpose, and added \$99,950 for part-time PBIS specialists at each Regional Education Service Agency. The conference committee returned to the governor's position, and included \$1.27 million for PBIS specialists.
- The House transferred \$1.47 million from the GaDOE's testing program to GOSA and directed the GaDOE to utilize \$1.23 million in existing innovation grant funds to provide one AP STEM exam for every student taking an AP STEM class. The Senate deleted the funds for this line item, but the conference committee agreed with the House position, transferring \$1.47 million to GOSA.
- The conference committee added \$1 million to implement [HB 338](#) (Rep. Kevin Tanner, 9th), specifically to hire the Chief Turnaround Officer and to assist underperforming schools.

Department of Human Services (DHS)

- The House added \$1.5 million for a \$5-per-hour increase for the DFCS Special Assistant Attorneys General (SAAGs). The Senate reduced those funds to \$300,000 to provide for a \$1-per-hour increase. The conference committee agreed with the \$300,000, and included language specifying that the hourly rate for SAAGs be adjusted to \$57.50.
- The Senate added \$3.08 million for the Families First COACHES program. The conference committee reduced the funding to \$2 million and required that Families First provide a report to the Georgia General Assembly by Dec. 31, 2017.

Department of Public Health (DPH)

- Recognizing that Georgia currently ranks 50th in maternal deaths in the United States, the Senate added \$100,000 to evaluate and recommend a program to reduce maternal mortality—using outcomes-based research—due Dec. 1, 2017. The conference committee agreed to add the \$100,000.
- The House added \$1.39 million to complete the phase in of the new general grant-in-aid formula to hold harmless all counties. The Senate eliminated those funds, but the conference committee included the \$1.39 million.

Georgia Bureau of Investigation (GBI)

The Senate added \$287,500 for the family violence program within the Criminal Justice Coordinating Council to support the 46 state-certified domestic violence shelters. The conference committee agreed to include the \$287,500.

Governor's Office of Student Achievement (GOSA)

- The House directed GOSA to utilize \$1.5 million in existing innovation grant funds for a competitive program that would provide certified school counselor-graduation specialists for the lowest-performing high schools in the state, giving priority to those schools on the chronically failing schools list. The Senate agreed with the House, but reduced the amount of existing funds to be utilized to \$1.2 million. The conference committee agreed to use \$1.25 million in existing funds for this purpose.
- The conference committee increased funds for innovation grants to \$500,000 and specified that grants for STAR Academy for dropout prevention and innovative reading and math programs be included.

Juvenile Courts

- The governor's budget included \$281,024 for one director and two coordinator positions for the Juvenile Detention Alternative Initiative. The House and Senate reduced the funding to \$158,406 for two coordinator positions, and the conference committee agreed on \$79,203 for one coordinator position.
- The governor's budget included \$1.5 million for 15 additional assistant district attorneys (ADAs) to support juvenile courts statewide. The House deleted that funding, and the Senate restored \$798,894 for eight new ADAs in its version of the budget. The conference committee agreed with the House and eliminated the funding.

Public Defender Council of Georgia

The House added \$782,564 for 10 additional juvenile public defenders, and the Senate reduced those funds to \$547,794 for seven juvenile public defenders. The conference committee agreed with the House position and included funds for 10 juvenile public defenders.

Schedule

The General Assembly met Monday, Wednesday, and Friday last week, completing 38 of 40 legislative days. Legislators are scheduled to meet Tuesday and Thursday this week, with Thursday being *Sine Die*—the final legislative day.

Legislation

The following bills related to children and families were passed out of their original chambers by Crossover Day and acted upon this week.



HB 65 (Rep. Allen Peake, 141st) expands the number of diagnoses that legally can be treated with cannabis oil to include Tourette’s syndrome, autism spectrum disorder, epidermolysis bullosa, Alzheimer’s disease, HIV, AIDS, and peripheral neuropathy. The bill also states that cancer and other currently covered diseases may be treated beyond just the end stages.

Status: The House passed the bill on March 1, and it is now assigned to the Senate Health and Human Services Committee. Most of the language from HB 65 has been added to **SB 16** (Sen. Ben Watson, 1st), another bill dealing with the use of cannabis oil, specifically to treat autism spectrum disorder. SB 16 was assigned to the House Judiciary Committee, which stripped the original language, substituted language from HB 65, and passed the bill on March 20. The bill is now in the House Rules Committee, which will determine whether or not it will be sent to the House floor for a vote.

HB 198 (Rep. Katie Dempsey, 13th) requires that information about influenza and the influenza vaccine be included in resources regarding immunizations, infectious disease, or other school health issues that are provided to parents of students in grades 6-12 by local boards of education.

Status: The House passed the bill on Feb. 16. The Senate Education and Youth Committee passed it on March 14, and it is now assigned to the Senate Rules Committee, which will determine whether or not it will be sent to the Senate floor for a vote.

HB 241 (Rep. Lee Hawkins, 27th) adds Krabbe disease to the list of metabolic and genetic conditions for which newborns may be screened. Krabbe disease is a rare, often fatal, degenerative disorder that affects the myelin sheath of the nervous system. Under the bill, screening for Krabbe disease will be conducted separately at the option of—and paid for by—the parents.

Status: The House passed the bill on Feb. 24, and the Senate passed it on March 24. It’s been sent to Deal for review.

[HB 246](#) (Rep. Wes Cantrell, 22nd) repeals the sunset provision on an annual fitness assessment program approved and funded by the State Board of Education for students in grades 1-12.

Status: The House passed the bill on Feb. 23, and the Senate Education and Youth Committee passed it on March 15. It is now in the Senate Rules Committee, which will determine whether or not it will be sent to the Senate floor for a vote.

[HB 273](#) (Rep. Demetrius Douglas, 78th) requires each local board of education to schedule a daily recess for students in grades K-5, beginning in the 2017-18 school year, provided that recess will not be required on any day when a student has had physical education or structured activity time. Local boards shall establish written policies to ensure that recess is a safe experience for students, that recess is scheduled so that it provides a break during academic learning, and that it is not withheld as punishment.

Status: The House passed the bill on March 3. The Senate Education and Youth Committee passed a substitute version of the bill on March 24, which clarifies that recess for grades K-5 will be scheduled every day unless reasonable circumstances impede such recess. Additionally, elementary schools are encouraged to include an average of 30 minutes per day of supervised unstructured activity time, preferably outdoors. HB 273 is now in the Senate Rules Committee, which will determine whether or not it will be sent to the Senate floor for a vote.

[HR 446](#) (Rep. William Boddie, 62nd) creates the Johnny Tolbert, III House Study Committee on Heatstroke. The bill is named for a 12-year-old who died from heatstroke during football practice in 2016.

Status: The resolution was assigned to the House Health and Human Services Committee, which discussed it on March 21. There is interest in coming up with a broader approach that addresses all youth sports, so the resolution is being held for further discussion.

[SB 16](#) (Sen. Ben Watson, 1st) adds autism spectrum disorder as a diagnosis eligible for treatment with cannabis oil and lowers the maximum percent of THC permitted for medical treatment from 5 to 3 percent.

Status: The Senate passed the bill on Feb. 16, and it is now assigned to the House Judiciary Non-Civil Committee. The House committee stripped the original language out of SB 16, substituted language from [HB 65](#) (Rep. Allen Peake, 141st), and passed SB 16 by substitute on March 20. The bill is assigned to the House Rules Committee, which will determine whether or not it will be sent to the House floor for a vote.

[SB 206](#) (Sen. P.K. Martin, 9th) requires health insurance plans to cover one hearing aid per impaired ear, not to exceed \$3,000 per hearing aid, for individuals under age 19.

Status: The Senate passed the bill on March 3. The House Insurance Committee passed a substitute version, which states that insurers are exempt from providing this benefit if an actuarial analysis—to be completed no more frequently than one time per year—determines that the costs associated with this coverage exceed 1 percent of the premium's charge over the experience period by the insurer. The law will also not apply to policies offered by an employer with 10 or fewer employees. The House passed the bill on March 20, and it is now back with the Senate, which can agree or disagree with the House changes.



CHILDREN SUCCEEDING IN SCHOOL

[HB 237](#) (Rep. Brooks Coleman, 97th) authorizes the Public Education Innovation Fund Foundation to receive private donations used for public-school grants for the implementation of academic and organizational innovations to improve student achievement.

Status: The House passed the bill on Feb. 24. The Senate Finance Committee passed the bill by substitute on March 22, stating that tax credits available to those making donations to the foundation will be capped at \$5 million per tax year and the legislation will sunset Dec. 31, 2020. HB 237 is now assigned to the Senate Rules Committee, which will determine whether or not it will be sent to the Senate floor for a vote.

HB 338 (Rep. Kevin Tanner, 9th) provides a comprehensive intervention strategy for chronically underperforming schools and offers an alternative to the Opportunity School District plan that Georgia voters didn't approve in Nov. 2016.

Status: The House passed the bill on March 1. The Senate Education and Youth Committee passed a substitute version on March 22, which changes the title to the "First Priority Act," adds language clarifying financing, and restructures the Advisory Council. The Senate passed the substitute version on March 24. The bill now returns to the House, which can agree or disagree with changes made by the Senate.

SB 5 (Sen. Bill Cowsert, 46th) clarifies the percentage of lottery proceeds to be transferred each year to the Lottery for Education Account, so that net proceeds must equal at least 26.5 percent of lottery proceeds in 2018; at least 27.5 percent in 2019; and 28.5 percent in 2020.

Status: The Senate passed a substitute version of the bill on Feb. 28, which amends the required lottery proceeds targets. The House Appropriations Committee passed a substitute version on March 24, which states that net proceeds from the lottery shall not be less than 25 percent. Beginning in 2018, for every fiscal year where net sales revenue exceeds revenue for the previous year by 5 percent, the net proceeds will be increased by 0.5 percent. The bill is now assigned to the House Rules Committee, which will determine whether or not it will be sent to the House floor for a vote.

SB 149 (Sen. Emanuel Jones, 10th) details training requirements for school resource officers (SROs). The Georgia Peace Officer Standards and Training Council shall maintain a 40-hour training course for SROs.

Status: The Senate passed the bill on March 3. The House Committee on Public Safety and Homeland Security passed a substitute version on March 20, stating that it is a best practice for SROs to complete a training course approved by the Georgia Peace Officer Standards and Training Council and that the council shall maintain a 40-hour training course for SROs. The House passed the substitute version on March 24. The bill now returns to the Senate, which can agree or disagree with the changes made by the House.

SB 152 (Sen. Emanuel Jones, 10th) amends mandatory student attendance policy by precluding students from being suspended or expelled without being assigned to an alternative education program and by setting a two-semester maximum for assignments to alternative programs. The bill provides an exception to the two-semester maximum for serious offenses, which include physical assault or battery of school personnel or students, bullying, and unlawful use or possession of illegal drugs or alcohol.

Status: The Senate passed a substitute version of the bill on March 1, clarifying that the new policy will apply to all students except those guilty of serious offenses. The House Education Committee passed a substitute version on March 22, changing it from a mandatory practice and clarifying that it is preferable to refer a student to an alternative school instead of employing suspension. SB 152 is now assigned to the House Rules Committee, which will determine whether or not it will be sent to the House floor for a vote.

SB 186 (Rep. Lindsey Tippins, 37th) clarifies that students who earn a high-school diploma through dual-credit coursework are eligible for a HOPE grant toward an associate degree at a Georgia technical college.

Status: The Senate passed a substitute version of the bill on March 1. The bill was assigned to the House Higher Education Committee, which passed the bill on March 16. While on the House floor for debate on March 24, the bill was amended to include language from **HB 331** (Rep. Stacey Abrams, 89th), which authorizes a kinship caregiver, on behalf of a child living with the caregiver, to give legal consent for the

child to receive educational and medical services and to participate in school activities. The House passed SB 186 as amended. It now returns to the Senate, which can agree or disagree with the House changes.

SB 211 (Sen. Lindsey Tippins, 37th) requires the State Board of Education to adopt research-based student assessment programs that are selected after consulting with local school systems, and to conduct a comparability study to determine whether nationally recognized academic assessments, such as the SAT and ACT, are in alignment with state content standards in grades 9-12. The bill also directs the State Board of Education's existing assessment workgroup to pursue maximum flexibility for state and local assessments under federal law. Reports are due to the Governor, Lieutenant Governor, State School Superintendent, and House and Senate Education Committee chairs by Friday, Sept. 1.

Status: The Senate passed the bill on March 3, and the House Education Committee passed it on March 22. The bill was scheduled for a vote on the House floor on March 24, but it was postponed to the next legislative day.



STABLE, SELF-SUFFICIENT, PRODUCTIVE FAMILIES

HB 159 (Rep. Bert Reeves, 34th), a comprehensive revision of Georgia's adoption code, lowers the age one can access the adoption reunion registry from 21 to 18, eases foreign adoption procedures, and permits nonresidents to grant adoption of his or her child.

Status: The House Judiciary Committee passed the bill on Feb. 16, and the full House passed it on Feb. 24. The Senate Judiciary Committee passed a substitute version on March 20 that includes language allowing private agencies receiving state funds to refuse to place children with same-sex parents. The amendment was adopted over opposition by the DFCS Director, who testified that the provision would jeopardize the division's access to federal funds. The substitute bill was then assigned to the Senate Rules Committee, which recommitted the bill to the Senate Judiciary Committee on March 22.

HB 331 (Rep. Stacey Abrams, 89th) authorizes a kinship caregiver, on behalf of a child residing with the caregiver, to give legal consent for the child to receive educational and medical services and to participate in school activities.

Status: The House passed the bill on March 1, and it is now assigned to the Senate Health and Human Services Committee. Language from HB 331 was added to **SB 186** (Sen. Lindsey Tippins, 37th) when the bill was on the House floor for a vote. The House passed the bill as amended, and it now returns to the Senate, which can agree or disagree to the changes made by the House.

SB 3 (Sen. Lindsey Tippins, 37th), the Creating Opportunities Needed Now to Expand Credentialed Training (CONNECT) Act, directs the Technical College System of Georgia State Board, in consultation with industry representatives, to annually identify fields of study in industries that address a critical workforce need and are linked to occupations in the skilled-trade industry or an emerging technology. Under the bill, the State Board of Education must also include industry credentialing when developing policies and guidelines for awarding high-school credit.

Status: The Senate passed the bill on Feb. 17. The House Education Committee passed a substitute version on March 22, which directs the GaDOE to develop industry-required content standards after consultation with Georgia industries and in collaboration with the TCSG and the University System of Georgia to ensure alignment with postsecondary opportunities for a variety of focused programs of study. The substitute bill was scheduled for a vote on the House floor on March 24, but it was postponed until the next legislative day.

[SB 170](#) (Sen. Hunter Hill, 6th) establishes the Georgia SERVES volunteer program and allows placement of a child in the temporary care of a Georgia SERVES volunteer to increase the number of volunteers helping with the foster care system. Under the bill, the DHS is directed to establish a uniform certification system and guidelines for SERVES volunteers. There will be two certification levels: Level I for household support, babysitting, and mentoring in the foster child’s home; and Level II to include Level I support and provide babysitting and mentoring in the volunteer’s own home for up to 72 hours at a time.

Status: The Senate passed the bill on March 3. The House Juvenile Justice Committee passed a substitute version on March 16, which directs DFCS to adopt policies and procedures to establish a uniform system for approving volunteers. The bill is now assigned to the House Rules Committee, which will determine whether or not it will be sent to the House floor for a vote.

[SB 201](#) (Sen. Butch Miller, 49th) requires employers to allow employees who earn sick leave to use up to five days of accrued leave to care for immediate family members—including an employee’s child, spouse, grandchild, grandparent, or parent.

Status: The Senate passed the bill on Feb. 27, and the House Industry and Labor Committee passed it on March 14. The bill was then amended in the House Rules Committee to be repealed on July 1, 2020, unless it’s later extended by the Georgia General Assembly. The House passed the bill as amended on March 22, and it now returns to the Senate, which can agree or disagree with the House changes.



THRIVING COMMUNITIES

[HB 293](#) (Rep. Deborah Silcox, 52nd) allows a court to admit hearsay evidence from a child under 17 years old that describes sexual contact or physical abuse, provided that notice is given to the accused prior to trial and the child testifies at the trial.

Status: The House passed the bill on Feb. 27, and the Senate Judiciary Committee passed it on March 24. The bill is now assigned to the Senate Rules Committee, which will determine whether or not it will be sent to the Senate floor for a vote.

[HB 391](#) (Rep. David Clark, 98th) expands the locations where a mother may leave a newborn child without risk of prosecution to include fire and police stations.

Status: The House passed the bill on March 3 and the Senate passed it on March 20. It’s been sent to Deal for review.

[SB 4](#) (Sen. Renee Unterman, 45th) establishes the Georgia Mental Health Treatment Task Force to examine the current mental-health landscape and effectiveness of mental-health services and programs.

Status: The Senate passed the bill on Feb. 7. The House Health and Human Services Committee passed the bill by substitute on March 15, but it was withdrawn and recommitted to the committee on March 16. The committee then passed another substitute version on March 22, which creates the Georgia Mental Health Task Force that will be composed of three House members and three Senate members, and will be staffed by the DCH. The task force will perform an examination of the current landscape of mental-health services in the state, develop a plan for the appropriate distribution of funds, and explore the option of a Medicaid waiver targeted at mental illness and substance abuse disorders. The House passed SB 4 on March 24, and it now returns to the Senate, which can agree or disagree to the changes made by the House.