

# **State Board of Education Resolution Regarding Local Education Agency Waivers for the 2019-2020 School Year Due to Impacts of COVID-19**

Whereas, the State Board of Education recognizes that Georgia continues to experience an unprecedented situation due to the impacts of COVID-19; and

Whereas, COVID-19 has caused Governor Kemp to declare a public health state of emergency and to [order the closure of schools](#); and

Whereas, Governor Kemp has the ability to suspend any regulatory statute prescribing the procedures for conduct of state business, or the order, rules or regulations of any state agency, if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and

Whereas, Governor Kemp, through his emergency powers, has suspended certain regulatory statutes in order to grant the State Board of Education the authority to waive parts of Title 20 of the Official Code of Georgia and State Board of Education Rules for all Local Education Agencies (LEA), the Department of Corrections, the Department of Juvenile Justice and State Schools as they address the impacts related to school closures; and

Therefore, be it resolved that effective for the remainder of the 2019-2020 school year, the State Board of Education, at the recommendation of State School Superintendent Richard Woods, is granting an exemption from the following statutory and regulatory requirements for all LEAs, the Department of Corrections, the Department of Juvenile Justice, and State Schools:

- Awarding Units of Credit and Acceptance of Transfer Credits/Grades: O.C.G.A. §20-2-159.3; O.C.G.A. §20-2-159.4 (c); SBOE Rule 160-5-1-.15(2)(d)(3) and (4), and (2)(h)
- Career Education: SBOE Rule 160-4-8-.08
- Categorical Allotment Requirements: O.C.G.A. §§ 20-2-167, 20-2-184.1
- Certification: O.C.G.A. §§ 20-2-200, 20-2-201
- Class Size and Reporting: O.C.G.A. § 20-2-182; SBOE Rule 160-5-1-.08
- Competencies / Prescribed Courses: O.C.G.A. §20-2-142

- Comprehensive Health/Physical Education Program: O.C.G.A. §20-2-277(a)(1); SBOE Rule 160-4-2-.12(2)(b) and (g)
- Direct Classroom Expenditures and Expenditure Controls: O.C.G.A. § 20-2-171
- Educational Programs: O.C.G.A. §§ 20-2-154(b), 20-2-154.1, 20-2-156 and SBOE Rule 160-4-2-.38, SBOE Rule 160-4-5-.01(2)(d)
- Georgia Virtual School Funding and Tuition: O.C.G.A §20-2-319.1(b)(2)
- Graduation Requirements and Seat Time: SBOE Rule 160-4-2-.48(6)(i)
- Organization of Schools / Middle School Programs / Scheduling: SBOE Rule 160-4-2-.05(2)(c), (d), (e), and (g)
- Personnel Required: SBOE Rule 160-5-1-.22
- Promotion and Retention: O.C.G.A. §§ 20-2-283, 20-2-284; SBOE Rule 160-4-2-.11
- Scheduling for Instruction: O.C.G.A. §§ 20-2-160 except to the extent it relates to funding, 20-2-168(c)(1)
- School Day and School Year for Students and Employees: O.C.G.A. §§ 20-2-151, 20-2-160(a), 20-2-168(c); SBOE Rule 160-5-1-.02
- Statewide Passing Score: SBOE Rule 160-4-2-.13(2)(d) and (f)  
Student Assessments: O.C.G.A. §20-2-281; SBOE Rule 160-3-1-.07

IN WITNESS WHEREOF, we have set our hands and caused the Georgia State Board of Education Seal to be affixed this 26<sup>th</sup> day of March 2020.

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Scott Sweeney, Chair  
State Board of Education

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Richard Woods  
Chief Executive Officer

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Mike Long  
First Congressional District

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David "Butch" Mosely  
Second Congressional District

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Helen Odom Rice  
Third Congressional District

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Lisa Kinnemore  
Fourth Congressional District

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Kenneth Mason  
Fifth Congressional District

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Mike Royal  
Seventh Congressional District

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Jason Downey  
Eighth Congressional District

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Martha Zoller  
Ninth Congressional District

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Lee Anne Cowart  
Tenth Congressional District

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Scott Johnson  
Eleventh Congressional District

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Trey Allen  
Twelfth Congressional District

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Sally Lynn Nabors  
Thirteenth Congressional District

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Phenna Rene Petty  
Fourteenth Congressional District