

House Bill 215

By: Representatives Buckner of the 76th, Reece of the 11th, Barnes of the 78th, Jamieson of the 28th, Hudson of the 124th, and others

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 protect students from unethical behavior; to
3 provide for the adoption of codes of ethics by local boards of education; to provide for annual
4 review of such codes of ethics; to require a prompt request for a criminal record check for
5 a newly hired teacher, principal, or other certificated professional employee; to provide
6 for related matters; to repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
10 secondary education, is amended by inserting a new Code section to be designated Code
11 Section 20-2-71 to read as follows:

12 "20-2-71.

13 Each local board of education shall adopt a policy providing for a code of ethics to govern
14 members of the local board of education. Each local board of education shall review its
15 code of ethics annually and shall announce such review and any changes in the code of
16 ethics at regular meetings of the board. No person may serve as a local board of education
17 member who has had any certificate issued by the Professional Standards Commission
18 suspended in whole or in part upon any commission finding that the person has failed to
19 maintain a professional relationship with students."

20 **SECTION 2.**

21 Said chapter is further amended by striking paragraph (1) of subsection (e) of Code Section
22 20-2-211, relating to annual contracts of teachers, principals, and other certificated
23 professional personnel, and inserting in lieu thereof the following:

24 "(e)(1) All personnel employed by a local unit of administration ~~after July 1, 2000,~~
25 whether or not such personnel hold certificates from the Professional Standards

1 Commission, shall be fingerprinted and have a criminal record check made as required
2 by this subsection. The local unit of administration shall request the criminal record check
3 within ten working days following the date of hire. The local unit of administration shall
4 have the authority to employ a person holding such a certificate under a provisional or
5 temporary contract for a maximum of 200 days and to employ a person who does not
6 hold such a certificate for a maximum of 200 days, in order to allow for the receipt of the
7 results of the criminal record check. Teachers, principals, and other certificated personnel
8 whose employment in a local unit of administration is renewed pursuant to this subpart
9 ~~after July 1, 2000~~, shall have a criminal record check made as required by this subsection
10 upon any certificate renewal application to the Professional Standards Commission. The
11 local unit of administration shall adopt policies to provide for the subsequent criminal
12 record checks of noncertificated personnel continued in employment in the local unit of
13 administration."

14

SECTION 3.

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