

House Bill 250

By: Representatives Maxwell of the 17<sup>th</sup>, Jones of the 46<sup>th</sup>, Rogers of the 26<sup>th</sup>, Casas of the 103<sup>rd</sup>, Dickson of the 6<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 10 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to professional standards, so as to revise certain provisions relating to  
3 reports of criminal offenses to local boards of education; to revise certain provisions relating  
4 to preliminary investigations of violations; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 10 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
9 relating to professional standards, is amended by revising subsection (a) of Code Section  
10 20-2-984.2, relating to reports of criminal offenses to local boards of education, as follows:

11 "(a) Superintendents, associate or assistant superintendents, or directors of personnel shall  
12 make an immediate written report to the local board of education upon receiving a written  
13 report from any identified school system personnel or parent or custodian of a child  
14 enrolled in the school system that any school system educator employed by the local unit  
15 of administration has ~~committed~~ been convicted of any of the following specifically  
16 identified crimes:

- 17 (1) Murder, voluntary manslaughter, aggravated assault, aggravated battery, or  
18 kidnapping, as defined in Chapter 5 of Title 16;
- 19 (2) Any sexual offense, as provided for in Code Sections 16-6-1 through 16-6-17 or  
20 Code Sections 16-6-20 through 16-6-22.2;
- 21 (3) Any sexual exploitation of a minor as provided for in Code Section 16-12-100;
- 22 (4) Any offense involving marijuana or a controlled substance, as provided for in  
23 Chapter 13 of Title 16;
- 24 (5) Any offense involving theft, as provided for in Articles 1 and 2 of Chapter 8 of Title  
25 16; or

1 (6) Unlawfully operating a motor vehicle after being declared a habitual violator for  
 2 violating Code Section 40-5-54, 40-6-391, 40-6-392, or 40-6-394 or any combination of  
 3 such Code sections."

#### 4 **SECTION 2.**

5 Said part is further amended by revising subsection (a) of Code Section 20-2-984.3, relating  
 6 to preliminary investigations of violations, and inserting in lieu thereof the following:

7 "(a) Upon receipt of a written request from a local board, the state board, or one or more  
 8 individual residents of this state, the commission shall be authorized to investigate:

9 (1) Alleged violations by an educator of any law of this state pertaining to educators or  
 10 the profession of education;

11 (2) Alleged violations by an educator of the code of ethics of the commission;

12 (3) Alleged violations by an educator of rules, regulations, or policies of the state board  
 13 or the commission;

14 (4) Complaints alleging a failure by an educator to meet or comply with standards of  
 15 performance of the commission or the state board; or

16 (5) Complaints alleging that an educator has been convicted of any felony, ~~or~~ of any  
 17 crime involving moral turpitude, or of any criminal offense involving the manufacture,  
 18 distribution, trafficking, sale, or possession of a controlled substance or marijuana in the  
 19 courts of this state or any other state, territory, or country or in the courts of the United  
 20 States. As used in this paragraph, the term 'convicted' shall include a finding or verdict  
 21 of guilty or a plea of nolo contendere, regardless of whether an appeal of the conviction  
 22 has been sought; a situation where first offender treatment without adjudication of guilt  
 23 pursuant to the charge was granted; and a situation where an adjudication of guilt or  
 24 sentence was otherwise withheld or not entered on the charge or the charge was  
 25 otherwise disposed of in a similar manner in any jurisdiction."

#### 26 **SECTION 3.**

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