

House Bill 173

By: Representatives Coleman of the 97th, Casas of the 103rd, Nix of the 69th, Ashe of the 56th, Clark of the 104th, 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 for teachers, so as to revise provisions relating
3 to expungement of records; to provide for related matters; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Part 10 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
8 relating to professional standards for teachers, is amended by revising paragraph (3) of Code
9 Section 20-2-982.1, relating to definitions relative to the "Georgia Professional Standards
10 Act," as follows:

11 "(3) 'Expungement' means the records are ~~sealed and labeled~~ destroyed pursuant to
12 subsection (e) of Code Section 20-2-984.5 in accordance with an established records
13 retention schedule."

14 style="text-align:center">**SECTION 2.**

15 Said part is further amended by revising subsection (e) of Code Section 20-2-984.5, relating
16 to preliminary investigations by the Professional Standards Commission, disciplinary actions,
17 hearings, and consultative services, as follows:

18 "(e) If after reviewing the findings of the preliminary investigation the commission finds
19 that no probable cause exists to recommend disciplinary action or the educator investigated
20 is exonerated after a hearing, then all records of the commission's investigation and of any
21 hearing by the ~~Department of Education or the State Board of Education~~ commission,
22 including all reports received pursuant to this subsection, made pursuant to this Code
23 section and pertaining to the educator investigated shall be completely expunged."

24

SECTION 3.

25 All laws and parts of laws in conflict with this Act are repealed.