

House Bill 1271

By: Representatives Erwin of the 32nd, Townsend of the 179th, Wade of the 9th, Corbett of the 174th, Persinger of the 119th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-720 of the Official Code of Georgia Annotated, relating to
2 inspection of students' records by parents or legal custodians, so as to revise the definition
3 of the term "education record" to correct a cross-reference; to expand provisions for the
4 inspection and review of student education records by parents and legal custodians; to
5 provide for an effective date; to provide for related matters; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 20-2-720 of the Official Code of Georgia Annotated, relating to inspection of
10 students' records by parents or legal custodians, is amended by revising subsections (a)
11 and (b) as follows:

12 "(a) As used in this Code section, the term:

13 (1) 'Education ~~record~~ records' shall have the same meaning as provided for in Code
14 Section ~~20-2-662~~ 20-2-670.

15 (2) 'Legal custodian' means an entity or individual other than a parent with legal
16 authority to act on behalf of a student. Such term shall include the Department of

17 Juvenile Justice and the Division of Family and Children Services of the Department of
18 Human Services.

19 (3) 'Local board of education' means the governing body of each local education agency
20 as such terms are defined in Code Section 20-2-167.1. Such term shall include the school
21 system of the Department of Juvenile Justice.

22 (4) 'Parent' means an individual other than a legal custodian who has legal authority to
23 act on behalf of a student as a natural or adoptive parent or a legal guardian.

24 (b) No local board of education shall have a policy of denying, or which effectively
25 prevents, the parents or legal custodians of students who are in attendance at or who have
26 been enrolled in any facility within such system the right to inspect and review the
27 education records of their child as provided in Code Section 20-2-667 or Code
28 Section 20-2-670."

29 **SECTION 2.**

30 This Act shall become effective upon its approval by the Governor or upon its becoming law
31 without such approval.

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.