

## House Bill 268

By: Representatives Persinger of the 119<sup>th</sup>, Efstrotation of the 104<sup>th</sup>, Gaines of the 120<sup>th</sup>, Burns of the 159<sup>th</sup>, Erwin of the 32<sup>nd</sup>, 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 provide for the safety, health, and well-being  
3 of students and school communities; to provide for reimbursement grants to local school  
4 systems that hire qualified mental health coordinators; to provide for youth violence and  
5 suicide awareness and prevention training requirements, including Tier 1 and Tier 2  
6 behavioral health training; to require public school safety plans to be updated with behavioral  
7 threat assessment management plans; to provide for the transfer of student records and other  
8 information among schools, law enforcement agencies, and other agencies with legal  
9 interests in students; to require memoranda of understanding between certain state agencies  
10 and local units of administration to include provisions relevant to the disclosure of student  
11 information; to provide for the release of student information from certain state agencies to  
12 local units of administration; to authorize RESAs to participate in dispute resolution  
13 procedures; to provide for the designation of RESA student affairs officers; to provide for  
14 the Department of Education's chief privacy officer to promulgate a guidance document  
15 relevant to sharing student records and other information; to provide for the release of student  
16 education records by local boards of education and local education agencies; to provide for  
17 certain student education records to be deemed critical records; to provide for the transfer of  
18 student education records, including critical records, to receiving schools; to provide for

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19 required disclosures; to provide for provisional enrollment at receiving schools; to provide  
20 for the transfer of students seeking enrollment in any grade higher than fifth grade; to require  
21 the Department of Behavioral Health and Developmental Disabilities to recommend to the  
22 State Board of Education one or more screening assessments for use by elementary and  
23 secondary schools to assess the behavioral and emotional functioning of students; to require  
24 the State Board of Education to designate at least one such assessment to be made available  
25 for use by schools for purposes of assessing transferring students under certain  
26 circumstances; to require that such assessment be administered at no charge to any  
27 transferring student or his or her parent or legal guardian; to provide for public funds to be  
28 used to reimburse schools for administering such assessments to transferring students; to  
29 provide for policies and implementation; to provide for school administrators to disclose  
30 certain information regarding students with the students' assigned classroom teachers; to  
31 provide for such information to remain confidential; to provide for local boards of education  
32 to petition courts to require parents to authorize the release of a transferring student's  
33 education records; to provide for a penalty; to provide for mandatory assessments when  
34 certain students withdraw from or stop attending school; to update the "Parents' Bill of  
35 Rights"; to provide for access to and transferring student education records; to require written  
36 agreements for law enforcement officers in school to include specific terms and conditions  
37 relevant to the handling and disclosure of student information; to require the Department of  
38 Education to publish model terms and conditions; to revise provisions regarding disrupting  
39 and interfering with certain public school operations; to provide for a system of discipline;  
40 to provide for investigations; to revise felony provisions regarding individuals attending the  
41 same school; to create an Office of Safe Schools within the Georgia Emergency Management  
42 and Homeland Security Agency; to establish school safety best practices for local school  
43 systems; to ensure each local school system has a threat management team; to provide  
44 technical assistance for local school systems to develop policies and procedures for their  
45 threat management teams; to develop a state-wide behavioral threat management operational

46 process; to provide state-wide behavioral threat assessment indicators; to procure a  
47 state-wide behavioral threat assessment management system, known as the School and  
48 Student Safety Database or S3 Database, to collect and integrate data to evaluate the behavior  
49 of students who may pose a threat to the school, school staff, or students, to provide and  
50 coordinate state resources to assist local school systems to make timely and methodical  
51 school based threat assessment and management decisions, and to help local districts  
52 coordinate intervention and services for such students; to evaluate each local school system's  
53 use of the state-wide behavioral threat management operational process; to adopt a school  
54 safety compliance inspection report; to ensure the S3 Database provides local school systems  
55 and their threat management teams with all available data pertaining to their jurisdiction; to  
56 provide all of the aforementioned services and assistance to private schools upon request; to  
57 provide for a short title; to provide for definitions; to amend Code Section 16-11-37 of the  
58 Official Code of Georgia Annotated, relating to terroristic threats and acts and penalties, so  
59 as to provide for the offense of threatening the death of or serious injury to individuals who  
60 are or likely to be at school; to provide for parents and legal guardians to be charged as a  
61 person concerned in the commission of such offense; to amend Article 4 of Chapter 18 of  
62 Title 50 of the Official Code of Georgia Annotated, relating to inspection of public records,  
63 so as to provide for an exemption; to provide for related matters; to provide for an effective  
64 date; to repeal conflicting laws; and for other purposes.

65 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

66 **SECTION 1.**

67 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
68 secondary education, is amended in Code Section 20-2-133, relating to free public  
69 instruction, exceptions, eligibility, and procedure and requirements when child in custody  
70 of or in a placement or facility of a state agency, by revising subsection (b) as follows:

71 "(b)(1)(A) Any child, except as otherwise specifically provided in subparagraph (D)  
72 of this paragraph, who is:

73 (i) In the physical or legal custody of the Department of Juvenile Justice or the  
74 Department of Human Services or any of its divisions, including, but not limited to,  
75 the Division of Family and Children Services;

76 (ii) In a placement operated by the Department of Human Services or the Department  
77 of Behavioral Health and Developmental Disabilities;

78 (iii) In a facility or placement paid for by the Department of Juvenile Justice, the  
79 Department of Human Services or any of its divisions, including, but not limited to,  
80 the Division of Family and Children Services, or the Department of Behavioral Health  
81 and Developmental Disabilities; or

82 (iv) Placed in a psychiatric residential treatment facility by his or her parent or legal  
83 guardian pursuant to a physician's order, if such child is not a home study, private  
84 school, or out-of-state student

85 and who is physically present within the geographical area served by a local unit of  
86 administration for any length of time is eligible for enrollment in the educational  
87 programs of that local unit of administration; provided, however, that the child meets  
88 the age eligibility requirements established by this article. Except for children who are  
89 committed to the Department of Juvenile Justice and receiving education services under  
90 Code Section 20-2-2084.1, the local unit of administration of the school district in  
91 which such child is present shall be responsible for the provision of all educational  
92 programs, including special education and related services, at no charge so long as the  
93 child is physically present in the school district.

94 (B) A child shall be considered in the physical or legal custody of the Department of  
95 Juvenile Justice or the Department of Human Services or any of its divisions, including,  
96 but not limited to, the Division of Family and Children Services, if custody has been  
97 awarded either temporarily or permanently by court order or by voluntary agreement,

98 or if the child has been admitted or placed according to an individualized treatment or  
99 service plan of the Department of Human Services or the Division of Family and  
100 Children Services. A child shall be considered in a facility or placement paid for or  
101 operated by the Department of Behavioral Health and Developmental Disabilities if the  
102 child has been admitted or placed according to an individualized treatment or service  
103 plan of the Department of Behavioral Health and Developmental Disabilities or its  
104 contractors.

105 (C) A facility providing educational services onsite to a child described in  
106 subparagraph (A) of this paragraph who is unable to leave such facility shall enter into  
107 a memorandum of understanding with the local unit of administration in which the  
108 facility is located. Such memorandum of understanding shall include, at a minimum,  
109 provisions regarding enrollment counting procedures, allocation of funding based on  
110 actual days of enrollment in the facility, ~~and~~ the party responsible for employing  
111 teachers, and the respective rights and responsibilities of the parties relative to the  
112 disclosure of the child's education records, as such term is defined in Code Section  
113 20-2-670. A memorandum of understanding shall be reviewed and renewed at least  
114 every two years; provided, however, that, if any memorandum of understanding in  
115 place on July 1, 2025, does not include such provisions regarding the respective rights  
116 and responsibilities of the parties relative to the disclosure of the child's education  
117 records, such memorandum of understanding shall be reviewed and updated by no later  
118 than October 1, 2025.

119 (D) No child in a secure residential facility as defined in Code Section 15-11-2,  
120 regardless of his or her custody status, shall be eligible for enrollment in the educational  
121 programs of the local unit of administration of the school district in which such facility  
122 is located. No child or youth in the custody of the Department of Corrections or the  
123 Department of Juvenile Justice and confined in a facility as a result of a sentence  
124 imposed by a court shall be eligible for enrollment in the educational programs of the  
125 local unit of administration of the school district where such child or youth is being

126 held; provided, however, that such child or youth may be eligible for enrollment in a  
127 state charter school pursuant to Code Section 20-2-2084.1.

128 (2) Except as otherwise provided in this Code section, placement in a facility by another  
129 local unit of administration shall not create an obligation, financial or otherwise, on the  
130 part of the local unit of administration in which the facility is located to educate the child.

131 (3) For any child described in subparagraph (A) of paragraph (1) of this subsection, the  
132 custodian of or placing agency for the child shall notify the appropriate local unit of  
133 administration at least five days in advance of the move, when possible, when the child  
134 is to be moved from one local unit of administration to another.

135 (4) When the custodian of or placing agency for any child notifies a local unit of  
136 administration, as provided in paragraph (3) of this subsection, that the child may become  
137 eligible for enrollment in the educational programs of a local unit of administration, such  
138 local unit of administration shall request the transfer of the ~~educational~~ education records  
139 and Individualized Education Programs and all education related evaluations,  
140 assessments, social histories, and observations of the child from the appropriate local unit  
141 of administration no later than ~~ten~~ five days after receiving notification. Notwithstanding  
142 any other law to the contrary, the custodian of the records has the obligation to transfer  
143 ~~these~~ such records and the local unit of administration has the right to receive, review,  
144 and utilize ~~these~~ such records. Notwithstanding any other law to the contrary, upon the  
145 request of a local unit of administration responsible for providing educational services to  
146 a child described in subparagraph (A) of paragraph (1) of this subsection, the Department  
147 of Juvenile Justice, the Department of Behavioral Health and Developmental Disabilities,  
148 ~~or~~ the Department of Human Services, or the Division of Family and Children Services  
149 shall furnish to the local unit of administration all medical and ~~educational~~ education  
150 records in the possession of the Department of Juvenile Justice, the Department of  
151 Behavioral Health and Developmental Disabilities, ~~or~~ the Department of Human  
152 Services, or the Division of Family and Children Services pertaining to any such child.  
153 Such records shall include, but shall not be limited to, any record that such student:

154 (A) Has ever been adjudicated guilty of the commission of a class A designated felony  
155 act or class B designated felony act, as defined in Code Section 15-11-2 and, if so, the  
156 date of such adjudication, the offense committed, the jurisdiction in which such  
157 adjudication was made, and the sentence imposed;

158 (B) Is currently serving a short-term suspension, a long-term suspension, or an  
159 expulsion from another school, the reason for such discipline, and the term of such  
160 discipline;

161 (C) Is currently the subject of a notice of a disciplinary hearing pursuant to Code  
162 Section 20-2-754; or

163 (D) Is currently or has ever been the subject of a:

164 (i) Notice of a report of criminal action made pursuant to Code Section 20-2-756;

165 (ii) Notice of chronic disciplinary problem made pursuant to Code Section 20-2-765;

166 (iii) Disciplinary and behavioral correction plan pursuant to Code Section 20-2-766;

167 or

168 (iv) Report of the commission of a prohibited act made pursuant to Code Section  
169 20-2-1184.

170 (5) In the event that the Department of Juvenile Justice, the Department of Behavioral  
171 Health and Developmental Disabilities, the Department of Human Services, or the  
172 Division of Family and Children Services contends that any record provided for in  
173 paragraph (4) of this subsection cannot be released without consent of a parent or legal  
174 guardian, such agency shall:

175 (A) Within five days after receiving a request for records under this subsection:

176 (i) Release all records not subject to such restriction;

177 (ii) Provide in writing to the local unit of administration and the RESA student affairs  
178 officer of the RESA in which such local unit of administration is located a list that  
179 identifies each record that such agency contends is subject to such restriction and the  
180 legal basis for such restriction; and

181 (iii) Initiate both verbal and written contact with the parent or legal guardian to obtain  
182 consent which the agency contends is required; and

183 (B) Upon receipt of the consent provided for in division (5)(A)(iii) of this subsection,  
184 immediately release the subject record to the local unit of administration.

185 ~~, except where consent of a parent or legal guardian is required in order to authorize the~~  
186 ~~release of any of such records, in which event the Department of Juvenile Justice, the~~  
187 ~~Department of Behavioral Health and Developmental Disabilities, or the Department of~~  
188 ~~Human Services shall obtain such consent from the parent or guardian prior to such~~  
189 ~~release.~~

190 (6)(A) In the event that an agency contends that releasing, in whole or in part, a  
191 student's records as required by this Code section would be unlawful, such agency shall  
192 promptly provide a written notice of dispute to the RESA student affairs officer of the  
193 RESA in which the local unit of administration is located.

194 (B) In the event that a local unit of administration contends that a student's records, in  
195 whole or in part, have been unlawfully or unduly withheld from release by a sending  
196 school, such local unit of administration shall promptly provide a written notice of  
197 dispute to the RESA student affairs officer of the RESA in which the local unit of  
198 administration is located.

199 (C)(i) Upon receipt of a notice of dispute from an agency as provided for in  
200 subparagraph (A) of this paragraph or from a local unit of administration as provided  
201 in subparagraph (B) of this paragraph, the RESA student affairs officer shall be  
202 authorized to work in coordination with any sending school, any receiving school, any  
203 other requestor, and the parent or legal custodian of the student whose records are the  
204 subject of such notice to resolve any dispute by providing technical assistance and  
205 guidance as to the respective rights and responsibilities of each of the parties to the  
206 dispute.

207 (ii) To the extent that such efforts to resolve the dispute are not successful, the RESA  
208 student affairs officer shall provide a written notice of noncompliance to any party to

209 such dispute which the RESA student affairs officer reasonably contends is  
210 noncompliant with the requirements of this paragraph. Such written notice of  
211 noncompliance shall include a recommended corrective action to resolve  
212 noncompliance. The RESA student affairs officer shall report such noncompliance to  
213 the director of the RESA.

214 (iii) Upon being notified of a noncompliance as provided for in division (ii) of this  
215 subparagraph, the RESA director shall be authorized to attempt to resolve the dispute  
216 and to report noncompliance to the Office of the Attorney General and the  
217 Department of Education's chief privacy officer.

218 (D) For the limited purposes provided for in this subsection, RESA student affairs  
219 officers and RESA directors shall be authorized to review the education records that are  
220 the subject of a notice of dispute provided for in this subsection.

221 ~~(5)~~(7) Any local unit of administration which serves a child pursuant to subparagraph (A)  
222 of paragraph (1) of this subsection shall receive in the form of annual grants in state  
223 funding for that child the difference between the actual state funds received for that child  
224 pursuant to Code Section 20-2-161 and the reasonable and necessary expenses incurred  
225 in educating that child, calculated pursuant to regulations adopted by the State Board of  
226 Education. Each local board of education shall be held harmless by the state from  
227 expending local funds for educating students pursuant to this Code section; provided,  
228 however, that this shall only apply to students who are unable to leave the facility in  
229 which they have been placed.

230 ~~(6)~~(8) Enrollment of an eligible child pursuant to this Code section shall be effectuated  
231 in accordance with rules and regulations adopted by the State Board of Education.

232 ~~(7)~~(9) For purposes of the accountability program provided for in Part 3 of Article 2 of  
233 Chapter 14 of this title, all facilities serving children described in subparagraph (A) of  
234 paragraph (1) of this subsection shall be, consistent with department rules and  
235 regulations, treated as a single local education agency; provided, however, that this  
236 paragraph shall not be construed to alleviate any responsibilities of the local unit of

237 administration of the school district in which any such children are physically present for  
 238 the provision of education for any such children.

239 ~~(8)~~(10) The Department of Education, the State Charter Schools Commission, the  
 240 Department of Human Services, the Division of Family and Children Services, the  
 241 Department of Juvenile Justice, the Department of Behavioral Health and Developmental  
 242 Disabilities, and the local units of administration where Department of Education, State  
 243 Charter Schools Commission, Department of Juvenile Justice, Department of Behavioral  
 244 Health and Developmental Disabilities, ~~or~~ Department of Human Services, or Division  
 245 of Family and Children Services placements, facilities, or contract facilities are located  
 246 shall jointly develop procedures binding on all agencies implementing the provisions of  
 247 this Code section applicable to children and youth in the physical or legal custody of the  
 248 Department of Juvenile Justice, under the care or physical or legal custody of the  
 249 Department of Human Services or the Division of Family and Children Services, or under  
 250 the physical custody of the Department of Behavioral Health and Developmental  
 251 Disabilities."

252 **SECTION 2.**

253 Said chapter is further amended in Part 5 of Article 6, relating to program weights and  
 254 funding requirements under the "Quality Basic Education Act," by adding a new Code  
 255 section to read as follows:

256 "20-2-192.

257 (a) As used in this Code section, the term 'qualified mental health coordinator' means an  
 258 individual employed by a local school system whose beginning salary and benefits are  
 259 eligible for reimbursement grants under this Code section.

260 (b) Subject to appropriations by the General Assembly, the State Board of Education shall  
 261 provide grants to local school systems for the purpose of reimbursing local school systems  
 262 for expenditures sufficient to pay the beginning salaries and benefits of qualified mental  
 263 health coordinators employed by such local school systems.

264 (c) Under such grant program, local school systems shall be eligible for reimbursement for  
265 an amount equal to the beginning salary and benefits of:

266 (1) One qualified mental health coordinator for local school systems with a full-time  
267 equivalent enrollment of fewer than 18,000 students;

268 (2) Two qualified mental health coordinators for local school systems with a full-time  
269 equivalent enrollment of 18,000 to 36,000 students; or

270 (3) Three qualified mental health coordinators for local school systems with a full-time  
271 equivalent enrollment of more than 36,000 students.

272 (d) By July 1, 2025, the State Board of Education shall establish regulations as to the  
273 manner in which local school systems shall request and receive such grant funds.

274 (e)(1) By July 1, 2025, the State Board of Education, in collaboration with the  
275 Department of Behavioral Health and Developmental Disabilities, shall establish the  
276 essential duties and minimum qualifications for qualified mental health coordinators hired  
277 by local school systems.

278 (2) Such mental health coordinators shall be primarily responsible for:

279 (A) Coordinating the efforts of the local school system to identify and facilitate  
280 appropriate interventions for students with or at risk for mental health concerns,  
281 including, but not limited to, telehealth services; and

282 (B) Coordinating, documenting, evaluating, and reporting the outcomes of Tier 1 and  
283 Tier 2 behavioral health training programs and materials of the local school system,  
284 including, but not limited to, such training programs and materials as provided for in  
285 Code Section 20-2-779.1.

286 (f) Nothing in the Code section shall be construed to prohibit local school systems from  
287 hiring or contracting with mental health coordinators using other funds available for such  
288 purpose."

289 **SECTION 3.**

290 Said chapter is further amended in Code Section 20-2-270, relating to establishment of a  
291 state-wide network, by revising subsection (a) as follows:

292 "(a)(1) The State Board of Education shall establish a state-wide network of regional  
293 educational service agencies for the purposes of: providing shared services designed to  
294 improve the effectiveness of educational programs and services to local school systems  
295 and state charter schools; providing instructional programs directly to selected public  
296 school students in the state; provide services as provided for in Code Sections 20-2-133,  
297 20-2-670, and 20-2-785; and providing Georgia Learning Resources System services.  
298 (2) The regional educational service agencies established by the state board may legally  
299 be referred to as 'RESA' or 'RESA's 'RESAs'."

300 **SECTION 4.**

301 Said chapter is further amended in Part 11 of Article 6, relating to regional educational  
302 service agencies, by adding a new Code section to read as follows:

303 "20-2-270.2.

304 (a) Each regional educational service agency shall be authorized to provide dispute  
305 resolution services as provided for in Code Sections 20-2-133 and 20-2-670 to local  
306 education agencies, local units of administration, and public and private schools located  
307 within the service area of such regional educational service agency and to the Department  
308 of Juvenile Justice, the Department of Behavioral Health and Developmental Disabilities,  
309 the Department of Human Services, and the Division of Family and Children Services.

310 (b) Each regional education service area director shall designate one staff member as  
311 RESA student affairs officer.

312 (c) The chief privacy officer designated by the State School Superintendent pursuant to  
313 Code Section 20-2-663 shall provide technical assistance and guidance to support RESA  
314 student affairs officers and directors in complying with the requirements of this Code  
315 section and Code Sections 20-2-133 and 20-2-670."

316

**SECTION 5.**

317 Said chapter is further amended in Code Section 20-2-662, relating to definitions relative to  
 318 student data privacy, accessibility, and transparency, by adding new paragraphs to read as  
 319 follows:

320 "(6.1) 'Legal custodian' means an entity or individual other than a parent with legal  
 321 authority to act on behalf of a student. Such term shall include the Department of  
 322 Juvenile Justice, the Department of Behavioral Health and Developmental Disabilities,  
 323 the Department of Human Services, and the Division of Family and Children Services.

324 (6.2) 'Local board of education' means the governing body of each local education  
 325 agency as such terms are defined in Code Section 20-2-167.1. Such term shall include  
 326 the Department of Juvenile Justice school system."

327 "(8.1) 'Parent' means an individual other than a legal custodian who has legal authority  
 328 to act on behalf of a student as a natural or adoptive parent or a legal guardian."

329

**SECTION 6.**

330 Said chapter is further amended in Code Section 20-2-663, relating to designation and role  
 331 of chief privacy officer, by adding a new subsection to read as follows:

332 "(c)(1) In consultation with the Attorney General's office, the chief privacy officer shall  
 333 promulgate for all regional education service agencies, all local education agencies, all  
 334 elementary and secondary schools in this state, the Department of Juvenile Justice (DJJ)  
 335 school system, the Department of Behavioral Health and Developmental Disabilities  
 336 (DBHDD), the Department of Human Services (DHS), the Division of Family and  
 337 Children Services (DFCS), and the Department of Defense Education Activity (DoDEA)  
 338 a guidance document that shall address, but shall not be limited to, the following topics:

339 (A) The current state and federal laws applicable to local education agencies and  
 340 elementary and secondary schools in this state, DJJ, DBHDD, DHS, DFCS, and  
 341 DoDEA intended to protect the privacy of student education records, student health

342 records, student data, and the personally identifiable information of students and their  
343 families;

344 (B) The application of the federal Family Educational Rights and Privacy Act  
345 (FERPA) to local education agencies and elementary and secondary schools in this  
346 state, DJJ, DBHDD, DHS, DFCS, and DoDEA, including what information is and is  
347 not covered under FERPA;

348 (C) What student education records and student health records can be shared with other  
349 educators, other schools, DJJ, DBHDD, DHS, DFCS, and DoDEA;

350 (D) What information about a student a local education agency, an elementary or  
351 secondary school, DJJ, DBHDD, DHS, DFCS, and DoDEA is permitted or required to  
352 share with a law enforcement officer, a law enforcement agency, a judge or court  
353 personnel, or another state or local agency or officer with a legal interest in such  
354 student; and

355 (E) What information about a student a law enforcement officer, a law enforcement  
356 agency, a judge or court personnel, or another state or local agency with a legal interest  
357 in such student is permitted or required to share with a local education agency, an  
358 elementary or secondary school, DJJ, DBHDD, DHS, DFCS, or DoDEA.

359 (2)(A) The guidance document required by paragraph (1) of this subsection shall be  
360 issued by July 15, 2025, and shall be reviewed and updated by July 1 each year and at  
361 any other time as necessary to ensure the information included in such guidance  
362 document is accurate.

363 (B) Each time the guidance document required by paragraph (1) of this subsection is  
364 issued or updated, it shall be posted on the department's public website along with  
365 responses to common or frequently asked questions relevant to the topics included in  
366 such guidance document.

367 (3) The chief privacy officer shall consult with experts and authorities as appropriate  
368 including, but not limited to the Office of the Chief Privacy Officer of the United States  
369 Department of Education, to meet the requirements of this subsection."

370

**SECTION 7.**

371 Said chapter is further amended in Code Section 20-2-667, relating to parental and student  
372 review of education records and model policies, by revising subsection (c) as follows:

373 "(c)(1) Except as provided in paragraph (2) of this subsection, each local board of  
374 education shall immediately provide an electronic copy of a student's complete education  
375 record to any parent, legal custodian, or another person or entity legally authorized to  
376 receive such records upon request and under no circumstances later than 5:00 P.M. on the  
377 third business day following the date of such request.

378 (2) In the event that any portion of such student's education record is not maintained in  
379 electronic format, the local board of education shall provide an electronic copy of all of  
380 the student's education records available in electronic format in compliance with  
381 paragraph (1) of this subsection and shall, no later than 5:00 P.M. on the third business  
382 day following the date of the request for such records, notify the requestor when copies  
383 of the remainder of such student's education records will be ready for retrieval. Local  
384 boards of education shall provide a parent or guardian with an electronic copy of his or  
385 her child's education record upon request, unless the local board of education does not  
386 maintain a record in electronic format and reproducing the record in an electronic format  
387 would be unduly burdensome."

388

**SECTION 8.**

389 Said chapter is further amended by repealing Code Section 20-2-670, relating to  
390 requirements for transferring students beyond sixth grade, conditional admission, and  
391 compliance, in its entirety and enacting a new Code section to read as follows:

392 "20-2-670.

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

394 (1) 'Critical records' means the following education records of a student, which shall be  
395 current and complete for a period of at least the most recent 12 months of such student's  
396 enrollment or the entirety of such student's enrollment if less than 12 months:

- 397 (A) Academic transcript;  
398 (B) Attendance records;  
399 (C) Student discipline records, including, but not limited to, all records of any:  
400 (i) Disciplinary order of short-term suspension, long-term suspension, or expulsion  
401 made pursuant to Code Section 20-2-751.2;  
402 (ii) Notice of a report of criminal action made pursuant to Code Section 20-2-756;  
403 (iii) Notice of chronic disciplinary problem made pursuant to Code Section 20-2-765;  
404 (iv) Disciplinary and behavioral correction plan pursuant to Code Section 20-2-766;  
405 or  
406 (v) Report of the commission of a prohibited act made pursuant to Code Section  
407 20-2-1184;  
408 (D) Records of the student having ever been adjudicated guilty of the commission of  
409 a class A designated felony act or class B designated felony act, as defined in Code  
410 Section 15-11-2 and, if so, the date of such adjudication, the offense committed, the  
411 jurisdiction in which such adjudication was made, and the sentence imposed;  
412 (E) An Individualized Education Program (IEP) pursuant to the federal Individuals  
413 with Disabilities Education Act or a plan under Section 504 of the federal  
414 Rehabilitation Act of 1973, if any; and  
415 (F) Psychological evaluations, if any.  
416 (2) 'Education records' means any record that is maintained by a local education agency,  
417 a public or private elementary or secondary school, the Department of Juvenile Justice  
418 school system, or a party acting on behalf of such entity and is directly related to a  
419 student. Such term shall include, but shall not be limited to, records of such student's  
420 enrollment, attendance, class schedules, academic transcripts, grades, student discipline,  
421 student financial information, health records, special education records, and  
422 psychological evaluations. Such term shall include the student's critical records.  
423 (3) 'Governing body' means the local board of education, governing council, governing  
424 board, Board of Juvenile Justice, or other entity by whatever name responsible for

425 creating and implementing the budget of a local education agency or a public or private  
426 school.

427 (4) 'Legal custodian' means an entity or individual other than a parent with legal  
428 authority to act on behalf of a student. Such term shall include the Department of Juvenile  
429 Justice, the Department of Behavioral Health and Developmental Disabilities, the  
430 Department of Human Services, and the Division of Family and Children Services.

431 (5) 'Local education agency' shall have the same meaning as provided in Code Section  
432 20-2-167.1. Such term shall include the Department of Juvenile Justice school system.

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

435 (7) 'Permanent enrollment' means enrollment of student in a school that is not provisional  
436 enrollment.

437 (8) 'Provisional enrollment' means the conditional and nonpermanent enrollment of  
438 student in a school for a specified period of time.

439 (9) 'Receiving school' means a local education agency or public or private school in  
440 which a transferring student, either on his or her own behalf or by and through his or her  
441 parent or legal custodian, has enrolled or seeks or intends to enroll.

442 (10) 'Requestor' means a student, the parent or legal custodian of such student, or a  
443 receiving school or another person or entity legally authorized to receive the education  
444 records of such student.

445 (11) 'RESA' means a regional education service agency as provided for in Code Section  
446 20-2-270.

447 (12) 'RESA student affairs officer' means the RESA employee designated by the RESA  
448 executive director to receive and attempt to resolve notices of disputes brought pursuant  
449 to this Code section.

450 (13) 'Sending school' means a local education agency or a public or private school which  
451 maintains education records of a particular student and is responsible for releasing such  
452 records to a requestor.

453 (14) 'Student' means an individual who is enrolled in a public or private elementary or  
454 secondary school or home study program in this state, or who is subject to the  
455 compulsory attendance requirements of Code Section 20-2-690.1.

456 (15) 'Transferring student' means a student who, either on his or her own behalf or by  
457 and through his or her parent or legal custodian, has enrolled in or is seeking or intends  
458 to enroll in a receiving school.

459 (b) The parent or legal custodian of a student seeking permanent enrollment in a grade  
460 higher than the third grade in any receiving school in this state shall as a prerequisite to  
461 such permanent enrollment execute a document:

462 (1) Disclosing to the receiving school whether the student:

463 (A) Has ever been adjudicated guilty of the commission of a class A designated felony  
464 act or class B designated felony act, as defined in Code Section 15-11-2 and, if so, the  
465 date of such adjudication, the offense committed, the jurisdiction in which such  
466 adjudication was made, and the sentence imposed;

467 (B) Is currently serving a short-term suspension, a long-term suspension, or an  
468 expulsion from another school, the reason for such discipline, and the term of such  
469 discipline;

470 (C) Is currently the subject of a notice of a disciplinary hearing pursuant to Code  
471 Section 20-2-754; or

472 (D) Is currently or has ever been the subject of any:

473 (i) Notice of a report of criminal action made pursuant to Code Section 20-2-756;

474 (ii) Notice of chronic disciplinary problem made pursuant to Code Section 20-2-765;

475 (iii) Disciplinary and behavioral correction plan pursuant to Code Section 20-2-766;

476 or

477 (iv) Report of the commission of a prohibited act made pursuant to Code Section  
478 20-2-1184; and

479 (2) Either:

480 (A) Present a certified copy of such student's critical records from each sending school  
481 he or she attended during the previous 24 months; or

482 (B) Receive written confirmation from such receiving school that it as received such  
483 student's critical records.

484 (c)(1) A student may be provisionally enrolled in a receiving school for not more than  
485 ten school days on a conditional basis; provided, however, that such provisional  
486 enrollment shall not commence until the next school day after such student's parent or  
487 legal custodian executes a document:

488 (A) Disclosing the information required in paragraph (1) of subsection (b) of this Code  
489 section; and

490 (B) Providing the name and address of each sending school such student attended  
491 during the previous 24 months and authorizing the immediate release of such student's  
492 critical records to the receiving school.

493 (2) If the receiving school does not receive such student's critical records from each  
494 sending school such student attended during the previous 24 months, the student shall be  
495 dismissed from enrollment in such receiving school upon the completion of the  
496 provisional enrollment period until such time as such critical records have been received  
497 by the receiving school.

498 (3) If a student provisionally enrolled in a receiving school is found to be ineligible for  
499 enrollment pursuant to the provisions of Code Section 20-2-751.2, or is subsequently  
500 found to be so ineligible, he or she shall be dismissed from enrollment in such receiving  
501 school until such time as he or she becomes so eligible.

502 (d) Any document provided by a receiving school to a student or such student's parent or  
503 legal custodian to request permanent enrollment or provisional enrollment in such receiving  
504 school or to authorize the release of education records to such receiving school shall  
505 include:

506 (1) A list of class A designated felony acts or class B designated felony acts;

507 (2) A list of the prohibited acts identified in Code Section 20-2-1184; and

- 508 (3) A description of each of the following:
- 509 (A) Notice of a disciplinary hearing pursuant to Code Section 20-2-754;
- 510 (B) Notice of a report of criminal action made pursuant to Code Section 20-2-756;
- 511 (C) Notice of chronic disciplinary problem made pursuant to Code Section 20-2-765;
- 512 (D) Disciplinary and behavioral correction plan pursuant to Code Section 20-2-766;
- 513 and
- 514 (E) Report of the commission of a prohibited act made pursuant to Code Section
- 515 20-2-1184.
- 516 (e) Each time a transferring student's education records, including, but not limited to
- 517 critical records, are transferred to a receiving school, such student's parent or legal
- 518 custodian shall be notified in writing of the transfer of such records and shall, upon written
- 519 request made within five days of the date of such notice, be entitled to receive a copy of
- 520 such records. Within five days of the receipt of a copy of such records, such student's
- 521 parent or legal custodian may make a written request for and shall be entitled to a hearing
- 522 before the principal of the sending school or of the receiving school or his or her designee
- 523 for the purpose of challenging the content of such records.
- 524 (f)(1) Except as provided in paragraph (2) of this subsection, each sending school in this
- 525 state shall immediately release a student's complete education record to any parent, legal
- 526 custodian, receiving school, or another person or entity legally authorized to receive such
- 527 records upon request by such requestor and under no circumstances later than 5:00 P.M.
- 528 on the third business day following the date of such request.
- 529 (2) In the event that any portion of such student's education record is not maintained in
- 530 electronic format, the sending school shall transfer all of the student's education records
- 531 available in electronic format in compliance with paragraph (1) of this subsection and
- 532 shall, no later than 5:00 P.M. on the third business day following the date of such request,
- 533 notify the requestor when copies of the remainder of such student's education records will
- 534 be ready for retrieval.

535 (g)(1) In the event that a sending school contends that releasing, in whole or in part, a  
536 student's education records as required by this Code section would be unlawful or unduly  
537 burdensome, such sending school shall promptly provide a written notice of dispute to  
538 the RESA student affairs officer of the RESA in which the sending school is located.

539 (2) In the event that a requestor contends that a student's education records, in whole or  
540 in part, have been unlawfully or unduly withheld from release by a sending school, such  
541 requestor shall promptly provide a written notice of dispute to the RESA student affairs  
542 officer of the RESA in which the sending school is located.

543 (3)(A) Upon receipt of a notice of dispute from a sending school as provided for in  
544 paragraph (1) of this subsection or from a requestor as provided in paragraph (2) of this  
545 subsection, the RESA student affairs officer shall be authorized to work in coordination  
546 with any sending school, any receiving school, any other requestor, and the parent or  
547 legal custodian of the student whose education records are the subject of such notice to  
548 resolve any dispute by providing technical assistance and guidance as to the respective  
549 rights and responsibilities of each of the parties to the dispute.

550 (B) To the extent that such efforts to resolve the dispute are not successful, the RESA  
551 student affairs officer shall provide a written notice of noncompliance to any party to  
552 such dispute which the RESA student affairs officer reasonably contends is  
553 noncompliant with the requirements of this Code section report. Such written notice  
554 of noncompliance shall include a recommended corrective action to resolve  
555 noncompliance. The RESA student affairs officer shall report such noncompliance to  
556 the director of the RESA.

557 (C) Upon being notified of a noncompliance as provided for in subparagraph (B) of  
558 this paragraph, the RESA director shall be authorized to attempt to resolve the dispute  
559 and to report noncompliance to the Office of the Attorney General and the Department  
560 of Education's chief privacy officer.

561 (4) For the limited purposes provided for in this subsection, RESA student affairs  
562 officers and RESA executive directors shall be authorized to review the education records  
563 that are the subject of a notice of dispute provided for in this subsection.

564 (5) In the event that it becomes evident to a RESA student affairs officer or a RESA  
565 director that neither a sending school nor a receiving school involved in a dispute is a  
566 local education agency or a public elementary or secondary school, the RESA student  
567 affairs officer and the RESA director shall take no further action regarding the dispute  
568 other than to notify the parties to the dispute that the regional educational service agency  
569 is not authorized to take further action on the matter and to refer the parties to the  
570 Department of Education's chief privacy officer.

571 (h) In the event that a sending school does not comply with the requirements of  
572 subsection (f) of this Code section, such sending school shall be obligated to reimburse the  
573 State Board of Education for the costs of administering and evaluating the screening  
574 assessment provided for in subsection (j) of this Code section. If more than one sending  
575 school does not comply with the requirements of subsection (f) of this Code section, such  
576 sending schools shall equally bear the cost of reimbursing the State Board of Education for  
577 the costs of administering and evaluating the screening assessment provided for in  
578 subsection (j) of this Code section.

579 (i) Whenever a receiving school does not timely receive complete information relative to  
580 a transferring student from a sending school as required in subsection (f) of this Code  
581 section, such receiving school shall be authorized to condition such transferring student's  
582 continued provisional enrollment upon completion of the screening assessment provided  
583 for in subsection (j) of this Code section.

584 (j)(1) As soon as practicable but no later than July 1, 2025, the Department of Behavioral  
585 Health and Developmental Disabilities shall recommend to the State Board of Education  
586 one or more screening assessments for use by elementary and secondary schools in this  
587 state to assess the behavioral and emotional functioning of students. Each screening

588 assessment recommended by the Department of Behavioral Health and Developmental  
589 Disabilities shall:

590 (A) Be amenable to completion without the student's education records;

591 (B) Consider multiple perspectives, including, but not limited to, the perspectives of  
592 each parent or legal guardian who shares the same residence with the student for any  
593 length of time each week, the student, and any teachers or other school personnel  
594 designated by the principal of the school conducting the screening assessment; and

595 (C) Be amenable to differentiated administration according to a student's age, grade  
596 level, or school level.

597 (2) By August 1, 2025, the State Board of Education shall designate at least one  
598 screening assessment recommended by the Department of Behavioral Health and  
599 Developmental Disabilities to be made available for use by schools for purposes of  
600 subsection (i) of the Code section. Each screening assessment designated by the State  
601 Board of Education for such use shall be made available at no charge to any transferring  
602 student or his or her parent or legal guardian. Information about such screening  
603 assessment or assessments shall be published on the public website of the Department of  
604 Education by August 1, 2025.

605 (3) Subject to appropriations or other available funds, the State Board of Education shall  
606 establish a grant program to reimburse schools that administer and evaluate screening  
607 assessments designated by the State Board of Education for use by such schools for  
608 purposes of subsection (i) of this Code section.

609 (k) The State Board of Education shall adopt policies and procedures for implementing the  
610 provisions of this Code section.

611 (l) The Department of Education shall collaborate with the Department of Behavioral  
612 Health and Developmental Disabilities and provide technical assistance to schools and  
613 local school systems to support implementation of the provisions of this Code section.

614 (m) In lieu of his or her parent, a transferring student who is not in the custody of the  
615 Department of Juvenile Justice or the Division of Family and Children Services of the

616 Department of Human Services and who is 18 years of age or older or who has been  
 617 emancipated by operation of law or by court order pursuant to Code Section 15-11-727 or  
 618 as otherwise provided by law shall be authorized to comply on his or her own behalf with  
 619 the requirements of this Code section otherwise applicable to such student's parent or legal  
 620 custodian."

621 **SECTION 9.**

622 Said chapter is further amended by revising Code Section 20-2-671, relating to transfer  
 623 students who have committed felony acts and disclosure of act, as follows:

624 "20-2-671.

625 (a) If any school administrator determines from the information obtained pursuant to Code  
 626 Section 15-11-602 or 20-2-670 or from any other source that a student has:

627 (1) Has committed a class A designated felony act or class B designated felony act, as  
 628 defined in Code Section 15-11-2;

629 (2) Is the subject of a notice of chronic disciplinary problem made pursuant to Code  
 630 Section 20-2-765;

631 (3) Has a current disciplinary and behavioral correction plan pursuant to Code Section  
 632 20-2-766; or

633 (4) Is the subject of a report of the commission of a prohibited act made pursuant to  
 634 Code Section 20-2-1184,

635 such administrator shall so inform all teachers to whom the student is assigned that they  
 636 may review the information in the student's file provided pursuant to ~~subsection (b) of~~  
 637 Code Section 20-2-670 received from other schools or from the juvenile courts.

638 (b) Such information shall be kept confidential."

639 **SECTION 10.**

640 Said chapter is further amended by revising Code Section 20-2-700, relating to reports by  
 641 peace officers to school authorities and parent or guardian, as follows:

642 "20-2-700.

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

644 (1) 'Incidental to' means occurring in the course of or directly associated with standards  
645 or customary operations of a law enforcement officer's employer.

646 (2) 'Law enforcement officer' means any duly constituted agent or officer of the State of  
647 Georgia or of any county, municipality, political subdivision, or local school system  
648 thereof who, as a full-time or part-time employee, is vested either expressly by law or by  
649 virtue of public employment or service with authority to enforce the criminal or traffic  
650 laws of this state with the power of arrest and whose duties include the preservation of  
651 public order, the protection of life and property, or the prevention, detection, or  
652 investigation of crime. Such term shall include, but shall not be limited to, sheriffs and  
653 deputy sheriffs; any member of the Georgia State Patrol or Georgia Bureau of  
654 Investigation; campus policemen and school security personnel provided for in Chapter  
655 8 of this title; any person employed by the Department of Natural Resources as a law  
656 enforcement officer; any arson investigator of the state fire marshal's office; employees  
657 designated by the commissioner of community supervision who have the duty to  
658 supervise children adjudicated for a Class A designated felony act or Class B designated  
659 felony act after release from restrictive custody, as such terms are defined in Code  
660 Section 15-11-2; and employees designated by the commissioner of juvenile justice  
661 pursuant to paragraph (2) of subsection (i) of Code Section 49-4A-8 who have the duty  
662 to investigate and apprehend delinquent children, or the supervision of delinquent  
663 children under intensive supervision in the community, and any child with a pending  
664 juvenile court case alleging the child to be a child in need of services who has escaped  
665 from a facility under the jurisdiction of the Department of Juvenile Justice or who has  
666 broken the conditions of supervision.

667 (3) 'Official encounter' means an interaction of a law enforcement officer with a school  
668 age youth in such law enforcement officer's official capacity for the purpose of enforcing  
669 the criminal laws of this state or preventing, detecting, or investigating a crime.

670 (4) 'School age youth' means an individual who is between their sixth and sixteenth  
671 birthdays or who a law enforcement officer knows or reasonably believes is enrolled in  
672 a public or private elementary or secondary school in this state. Such term shall not  
673 include an individual who has successfully completed all the requirements for a high  
674 school diploma or a state approved high school equivalency (HSE) diploma.

675 (5) 'School official' means a local school superintendent or his or her designee or a  
676 school principal or other school administrator.

677 (b) Any person taking action pursuant to Code Section 20-2-699 shall report the matter and  
678 the disposition made by him or her of the child to ~~the school authorities of the county,~~  
679 ~~independent or area school system~~ a school official of the public or private school in which  
680 such child is currently enrolled or would be enrolled by virtue of his or her primary  
681 residence, and to the child's parent or guardian.

682 (c)(1) Except as provided in paragraph (2) of this subsection, within five days of an  
683 official encounter with a school age youth in this state, the employer of each law  
684 enforcement officer present for such official encounter shall provide a written report of  
685 such official encounter to a school official of the public or private school in which such  
686 school age youth is currently enrolled or would be enrolled by virtue of his or her primary  
687 residence and to his or her parent or guardian.

688 (2) A written report of an official encounter provided for in paragraph (1) of this  
689 subsection shall not be required:

690 (A) When the interaction between the law enforcement officer and the school age  
691 youth is not incidental to the conduct of a law enforcement officer acting in his or her  
692 official capacity to enforce the criminal laws of this state or to prevent, detect, or  
693 investigate a crime; or

694 (B) With respect to a school age youth whose presence during or participation in such  
695 official encounter is due exclusively to such school age youth being a witness or  
696 potential witness in a criminal investigation; provided, however, that the exception  
697 provided for in this subparagraph shall not apply if he or she is also a subject of such

698 criminal investigation or is a suspect or person of interest in such criminal  
699 investigation."

700 **SECTION 11.**

701 Said chapter is further amended by revising Code Section 20-2-720, relating to inspection  
702 of students' records by parents, as follows:

703 "20-2-720.

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

705 (1) 'Education record' shall have the same meaning as provided for in Code Section  
706 20-2-662.

707 (2) 'Legal custodian' means an entity or individual other than a parent with legal  
708 authority to act on behalf of a student. Such term shall include the Department of Juvenile  
709 Justice and the Division of Family and Children Services of the Department of Human  
710 Services.

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

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

716 (b) ~~No local school system, whether county, independent, or area,~~ local board of education  
717 shall have a policy of denying, or which effectively prevents, the parents or legal  
718 custodians of students who are in attendance at or who have been enrolled in any facility  
719 within such system the right to inspect and review the education records of their child as  
720 provided in Code Section 20-2-667.

721 (c) A parent or legal custodian shall be entitled to inspect and review only information  
722 relating to his or her own child or ward and if any material or document in a child's or  
723 ward's record includes information on another student, such information regarding any

724 other student shall not be made available for inspection or review except to the parents or  
725 legal custodian of that student.

726 (d) Both parents of a child shall be entitled to inspect and review the education records of  
727 their child or to be provided information concerning their child's progress. Information  
728 concerning a child's education record shall not be withheld from the noncustodial parent  
729 unless a court order has specifically removed the right of the noncustodial parent to such  
730 information or unless parental rights have been terminated. ~~For purposes of this Code~~  
731 ~~section, 'education records' shall include attendance reports and records."~~

732 **SECTION 12.**

733 Said chapter is further amended by revising Code Section 20-2-757, relating to applicability  
734 of public inspection and open meeting laws, as follows:

735 "20-2-757.

736 (a) All proceedings and hearings conducted under this subpart shall be confidential and  
737 shall not be subject to the open meetings requirement of Code Section 50-14-1 or other  
738 open meetings laws.

739 (b) All electronic or other written records of all hearings conducted under this subpart; all  
740 statements of charges; all notices of hearings; and all written decisions rendered by a  
741 hearing officer, tribunal, the local board of education, or the State Board of Education shall  
742 not be subject to public inspection or other disclosure under Article 4 of Chapter 18 of Title  
743 50 or other public disclosure laws; provided, however, that the board of education state  
744 board shall prepare a written summary of any proceeding conducted under this subpart,  
745 which summary shall include a description of the incident and the disposition thereof but  
746 shall not contain the names of any party to the incident. The summary shall be a public  
747 record.

748 (c) Nothing in this Code section shall be construed to prohibit, restrict, or limit in any  
749 manner the disclosure of a student's education records to a receiving school as required by  
750 Code Section 20-2-670."

751 **SECTION 13.**

752 Said chapter is further amended by revising Code Section 20-2-766.1, relating to proceeding  
753 against parents for failure to cooperate in educational programs and penalty, as follows:

754 "20-2-766.1.

755 (a) A The local board of education may, by petition to the juvenile court, proceed against  
756 a parent or guardian as provided in this Code section.

757 (b) If the court finds that the parent or guardian has willfully and unreasonably failed to  
758 attend a conference requested by a principal pursuant to Code Section 20-2-765 or  
759 20-2-766, the court may order the parent or guardian to attend such a conference, order the  
760 parent or guardian to participate in such programs or such treatment as the court deems  
761 appropriate to improve the student's behavior, or both.

762 (c) If the court finds that the parent or guardian has willfully and unreasonably failed to  
763 authorize the release of student education records to a receiving school as required pursuant  
764 to Code Section 20-2-670, the court may order the parent or guardian to authorize the  
765 release of such records.

766 (d) After notice and opportunity for hearing, the court may impose a fine, not to exceed  
767 \$500.00, on a parent or guardian who willfully disobeys an order of the court entered under  
768 this Code section. The court may use its contempt and other powers specified in Code  
769 Section 15-11-31 to enforce any order entered under this Code section."

770 **SECTION 14.**

771 Said chapter is further amended by revising Code Section 20-2-779.1, relating to suicide  
772 prevention and awareness training and no duty of care imposed, as follows:

773 "20-2-779.1.

774 (a) As used in this Code section, the term 'evidence based' means a program or practice  
775 that:

776 (1) Demonstrates a statistically significant effect on relevant outcomes based on:

777 (A) Strong evidence from at least one well-designed and well-implemented  
 778 experimental study;

779 (B) Moderate evidence from at least one well-designed and well-implemented  
 780 quasi-experimental study; or

781 (C) Promising evidence from at least one well-designed and well-implemented  
 782 correlational study with statistical controls for selection bias; or

783 (2) Demonstrates a rationale based on high-quality research findings or positive  
 784 evaluation that such program or practice is likely to improve relevant outcomes, and  
 785 includes ongoing efforts to examine the effects of such program or practice.

786 ~~(a)(1)~~(b) ~~The Department~~ State Board of Education shall adopt rules to require that:

787 (1) All ~~all~~ certificated public school personnel receive annual training in youth violence  
 788 and suicide awareness and prevention. This ~~Such~~ training shall be provided within the  
 789 framework of existing in-service training programs offered ~~or facilitated~~ by the  
 790 Department of Education, ~~the Department of Behavioral Health and Developmental~~  
 791 Disabilities, or as part of required professional development offered by a local school  
 792 system ~~or public school~~. Such training shall include Tier 1 and Tier 2 behavioral health  
 793 training approved by the Department of Behavioral Health and Developmental  
 794 Disabilities; and

795 (2)(A) Beginning in the 2026-2027 school year, and continuing each school year  
 796 thereafter, all public schools serving students in any one of grades six through 12 which  
 797 receive funds in any manner from the state shall provide to students:

798 (i) At least one hour of evidence based suicide awareness and prevention training  
 799 each school year; and

800 (ii) At least one hour of evidence based youth violence prevention training each  
 801 school year.

802 (B) Such training may be delivered in person, remotely, or digitally and may be  
 803 included as part of the health and physical education course of study provided for in  
 804 subsection (c) of Code Section 20-2-142.

805 ~~(2) The~~ (c)(1) By January 1, 2026, the Department of Education shall, in consultation  
806 with the Department of Behavioral Health and Developmental Disabilities, the Suicide  
807 Prevention Program established pursuant to Code Section 37-1-27, and student violence  
808 and suicide prevention experts, and other youth mental health experts, develop a list of  
809 approved evidence based training programs and materials to fulfill the requirements of  
810 this subsection Code section which may include training programs and materials  
811 currently being used by a local school system or public school if such training programs  
812 and materials meet any the criteria established by the department.

813 ~~(3)~~ (2) Approved training programs and materials shall:

814 (A) Shall include training information on how to identify appropriate mental health  
815 interventions and services, both within the school and also within the larger community,  
816 and when and how to refer facilitate such interventions and services for youth and their  
817 families to those services; and

818 ~~(4) Approved materials may~~ (B) May include programs and materials that can be  
819 completed through self-review of suitable student violence and suicide awareness and  
820 prevention materials approved by the department upon the recommendation of the  
821 Department of Behavioral Health and Developmental Disabilities.

822 (3) Approved training programs and materials for students shall, at a minimum, teach  
823 students:

824 (A) How to recognize the observable signs and signals of depression, suicide, and  
825 self-injury in themselves and their peers;

826 (B) How to recognize the observable warning signs and signals of persons who may  
827 be at risk of harming themselves or others;

828 (C) The importance of seeking help for themselves and their peers and the process for  
829 seeking help; and

830 (D) The steps that can be taken to report dangerous, violent, threatening, harmful, or  
831 potentially harmful behavior.

832 (4) The Department of Education shall make the list of approved training programs and  
 833 materials, including no-cost programming, if any, publicly available on its website and  
 834 shall keep it timely updated by reviewing such list, at a minimum, every 36 months.

835 ~~(5)(A)(d)(1)~~ Each local school system board of education or public school governing  
 836 body shall:

837 (A) Adopt policies, rules, and regulations ~~adopt a policy~~ on student suicide awareness  
 838 and prevention. Such policies, rules, and regulations shall be developed in consultation  
 839 with school and community stakeholders, school employed mental health professionals,  
 840 and suicide prevention experts, and shall, at a minimum, address procedures relating  
 841 to suicide prevention, intervention, and postvention;

842 (B) Adopt policies, rules, and regulations for providing relevant and current  
 843 information to students and their families and to school personnel regarding publicly  
 844 available resources for the anonymous reporting of a dangerous, violent, threatening,  
 845 harmful, or potentially harmful activity which occurs on, or is threatened to occur on,  
 846 school property or which relates to a student or school personnel;

847 (C) Adopt policies, rules, and regulations for the implementation of the state-wide  
 848 anonymous reporting program provided for in paragraph (6) of subsection (c) of this  
 849 Code section; and

850 (D) Implement an evidence based youth violence prevention training program to  
 851 instruct students how to recognize the observable warning signs and signals of someone  
 852 who may be at risk of harming himself, herself, or others; the importance of taking  
 853 threats seriously and seeking help; and how to report someone who is at risk, including  
 854 by using the state-wide anonymous reporting program.

855 ~~(B)(2)~~ To assist public schools and local school systems in developing their own policies  
 856 for student violence and suicide awareness and prevention, the Department of Education,  
 857 in consultation with the Suicide Prevention Program within the Department of Behavioral  
 858 Health and Developmental Disabilities, shall establish a model policy for use by public  
 859 schools and local school systems in accordance with this Code section.

860 (e) Each local board of education or public school governing body shall require each  
861 public school that sponsors or otherwise permits student organizations or clubs to designate  
862 a student-led youth violence prevention club to sustain awareness activities related to  
863 suicide prevention and violence prevention. Such student violence prevention club,  
864 including existing clubs, shall:

- 865 (1) Be open to all members of the student body;  
866 (2) Engage in awareness activities related to youth suicide prevention, youth violence  
867 prevention, and social inclusion;  
868 (3) Foster opportunities for student leadership development; and  
869 (4) Have at least one administrator, teacher, or other school personnel serve as a faculty  
870 advisor.

871 (f)(1) By July 1, 2025, each local board of education or public school governing body  
872 shall develop and operate, or contract with a provider to develop and operate, and make  
873 available an anonymous reporting program.

874 (2) Such anonymous reporting program shall, at a minimum:

875 (A) Be accessible by any person to report anonymously a dangerous, violent,  
876 threatening, harmful, or potentially harmful activity which occurs on, or is threatened  
877 to occur on, school property or which relates to a student or school personnel;

878 (B) Provide support 24 hours per day, seven days per week for anonymous reporting  
879 through, at a minimum, a mobile telephone application and a multilingual crisis center,  
880 which shall be staffed by individuals with evidence based counseling and crisis  
881 intervention training;

882 (C) Promptly forward reported information to the appropriate school based team;

883 (D) Support a coordinated response to an identified crisis by schools, local emergency  
884 9-1-1 public safety answering points, and local law enforcement agencies when  
885 response by schools and law enforcement is to be reasonably expected;

886 (E) Require and certify the training of school based teams in each school to receive  
887 notice of any report submitted to the state-wide anonymous reporting program  
888 concerning the school, a student, or school personnel;

889 (F) Require and certify the training of local emergency 9-1-1 public safety answering  
890 point personnel to receive notice of any report submitted to the state-wide anonymous  
891 reporting program that requires response from a local law enforcement agency;

892 (G) Promote public awareness and education about the state-wide anonymous reporting  
893 program and its reporting methods, prior to its launch; and

894 (H) Comply with all federal and state laws.

895 (3) The provisions of this subsection shall not apply to any local school system or public  
896 school that, as of January 1, 2025, has an operating anonymous reporting program that  
897 substantially complies with the requirements of paragraph (2) of this subsection.

898 (4) This subsection shall not be construed to interfere with or impede any existing  
899 contract any local school system or public school has with a provider to operate an  
900 anonymous reporting program; provided, however, that, to the extent that the terms of  
901 such contract do not require such provider to operate an anonymous reporting program  
902 in substantial compliance with the requirements of paragraph (2) of this subsection, such  
903 contract terms shall not be renewed beyond such contract's current expiration or  
904 termination date.

905 (g) Each local school system and public school shall update its school safety plan required  
906 by Code Section 20-2-1185 by including a behavioral threat assessment management plan  
907 as provided for in Code Section 20-2-1185.1.

908 ~~(b)~~(h) No person shall have a cause of action for any loss or damage caused by any act or  
909 omission resulting from the implementation of the provisions of this Code section or  
910 resulting from any training, or lack thereof, required by this Code section.

911 ~~(c)~~(i) The training, or lack thereof, required by the provisions of this Code section shall not  
912 be construed to impose any specific duty of care."

913 **SECTION 15.**

914 Said chapter is further amended by revising Code Section 20-2-785, relating to referral and  
 915 assessment to determine whether withdrawal was to limit education, as follows:

916 "20-2-785.

917 (a) In the event that a child student does not for a period of 30 consecutive days attend the  
 918 public school in which he or she is enrolled or provisionally enrolled and:

919 (1) The parent or guardian of such student does not notify the school of such student's  
 920 withdrawal from such school;

921 (2) The parent or guardian of such student does not notify the school of such student's  
 922 enrollment or intent to enroll in a home study program or another school;

923 (3) Such student is withdrawn from a public such school without a declaration filed  
 924 pursuant to subsection (c) of Code Section 20-2-690; or

925 (4) Such student is 16 years of age or older and stops attending such school without  
 926 completing the conference required under subsection (e) of Code Section 20-2-690.1 and

927 that child stops attending a public school for a period of 45 days,

928 the school shall refer the matter to the Division of Family and Children Services of the  
 929 Department of Human Services and the RESA student affairs officer of the regional  
 930 educational service agency in which such student resides, as provided for in subsection (b)  
 931 of this Code section.

932 (b) For each student who meets the requirements of subsection (a) of this Code section,  
 933 such student's school shall:

934 (1) Refer the matter to the Division of Family and Children Services to conduct an  
 935 assessment. The purpose of such referral and assessment shall be limited to for the  
 936 purpose of determining whether such withdrawal was to avoid educating the child.

937 Presentation such student; provided, however, that completion of such conference or  
 938 presentation of a copy of such filed declaration shall satisfy the assessment requirements  
 939 of this paragraph, and the Division shall immediately terminate the such assessment  
 940 under this Code section; and

941 (2) Refer the matter to the RESA student affairs officer of the regional educational  
942 service agency in which such student resides for the purpose of determining whether such  
943 student has enrolled in a home study program or another school and, if such student has  
944 enrolled in another school, to determine whether the receiving school as defined in Code  
945 Section 2-20-670 has received such student's education records from the student's  
946 previous schools; provided, however, that, upon receiving notice that such student has  
947 enrolled or intends to enroll in a home study program or another school, the referring  
948 school shall immediately notify the RESA student affairs officer of the regional  
949 educational service agency in which such student resides of such intent or enrollment and  
950 if such student has enrolled or intends to enroll in another school, confirm the date by  
951 which such student's education records as defined in Code Section 2-20-670 will be  
952 released to the receiving school.

953 (c) Nothing in the Code section shall be construed to prohibit or limit a public school from  
954 making reasonable efforts at any time to determine the whereabouts of a student who is  
955 withdrawn from such school without a declaration filed pursuant to subsection (c) of Code  
956 Section 20-2-690 or who stops attending such school without providing notice of  
957 enrollment or intent to enroll in a home study program or another school or, when such  
958 student is 16 years of age or older, without completing the conference required under  
959 subsection (e) of Code Section 20-2-690.1. Such efforts may include, but shall not be  
960 limited to:

961 (1) Contacting the student's parent, guardian, or other legal custodian to inquire of the  
962 student's whereabouts and whether such student intends to withdraw from the school or  
963 has enrolled or intends to enroll in a home study program or another school;

964 (2) Directing school personnel, including, but not limited to, school social workers and  
965 school security personnel, to conduct a wellness visit at the student's last known  
966 residence; and

967 (3) As appropriate, referring the matter to the county or municipal law enforcement  
968 agency having territorial jurisdiction.

969 (d) Each public school in which a student is enrolled or provisionally enrolled shall  
 970 compile such student's complete education records and make such records available for  
 971 immediate release to any person or entity authorized by law to receive such records:

972 (1) For each student who meets the requirements of subsection (a) of this Code section;  
 973 and

974 (2) Each time the school receives sufficient notice that such student is withdrawing from  
 975 the school or is enrolling or intends to enroll in a home study program or another school."

976 **SECTION 16.**

977 Said chapter is further amended in Code Section 20-2-786, relating to the "Parents' Bill of  
 978 Rights," by revising subsection (f) as follows:

979 "(f) Each governing body shall, in consultation with parents, teachers, and administrators,  
 980 develop and adopt a policy or regulation to promote parental involvement in the public  
 981 schools. Such policy or regulation shall be updated each year by June 1 and posted on each  
 982 governing body's public website, and a copy of such policy or regulation shall be available  
 983 for review on site upon request by a parent. Such policy or regulation shall include:

984 (1) Procedures that meet the requirements of Code Sections 20-2-667 and 20-2-670 for  
 985 a parent to review records relating to his or her minor child and to request the transfer of  
 986 such records to another school or a person or entity authorized to receive such records;

987 (2)(A) Procedures for a parent to learn about his or her minor child's courses of study,  
 988 including, but not limited to, parental access to instructional materials intended for use  
 989 in the classroom. Instructional materials intended for use in his or her minor child's  
 990 classroom shall be made available for parental review during the review period. If such  
 991 instructional materials are not made available by a school or local school system for  
 992 review online, then they shall be made available for review on site upon a parent's  
 993 request made during the review period.

994 (B) Procedures for a parent to object to instructional materials intended for use in his  
 995 or her minor child's classroom or recommended by his or her minor child's teacher;

- 996 (3) Procedures for a parent to withdraw his or her minor child from the school's  
 997 prescribed course of study in sex education if the parent provides a written objection to  
 998 his or her minor child's participation. Such procedures ~~must~~ shall provide for a parent to  
 999 be notified in advance of such course content so that he or she may withdraw his or her  
 1000 minor child from the course; ~~and~~
- 1001 (4) Procedures for a parent to provide written notice that photographs or video or voice  
 1002 recordings of his or her child are not permitted, subject to applicable public safety and  
 1003 security exceptions; and
- 1004 (5) Procedures that meet the requirements of Code Sections 20-2-667 and 20-2-670 for  
 1005 the timely production of a student's education records by such student's current or  
 1006 previous school to another school in which such student has enrolled, intends to enroll,  
 1007 or is considering enrollment."

1008 **SECTION 17.**

1009 Said chapter is further amended in Code Section 20-2-1181, relating to disrupting operation  
 1010 of public school, school bus, or school bus stop, penalty, and progressive discipline, by  
 1011 revising subsection (a) and paragraph (2) of subsection (b) as follows:

1012 "(a) It shall be unlawful for any person to knowingly, intentionally, or recklessly disrupt  
 1013 or interfere with the operation of any public school, public school bus, or public school bus  
 1014 stop as designated by local boards of education. For purposes of this Code section, an  
 1015 individual who knowingly, intentionally, or recklessly threatened, whether verbally, in  
 1016 writing, or otherwise, the death of or serious injury to a group of individuals who are, or  
 1017 will likely be, at or within a public school, public school bus, or public school bus stop,  
 1018 shall be considered to have disrupted or interfered with the operation of such public school,  
 1019 public school bus, or public school bus stop. Except as provided in subsection (b) of this  
 1020 Code section, a person convicted of violating this Code section shall be guilty of a  
 1021 misdemeanor of a high and aggravated nature."

1022 "(2) A local board of education shall develop a system of progressive discipline that may  
1023 be imposed on a child accused of violating this Code section before initiating a  
1024 complaint. Such system of progressive discipline shall include a requirement that when  
1025 there is a credible accusation that an individual threatened, whether verbally, in writing,  
1026 or otherwise, the death of or serious injury to a group of individuals, pursuant to  
1027 subsection (a) of this Code section, who are, or will likely be, at or within a public school  
1028 that such individual attends, or has attended, the school shall immediately suspend and  
1029 provide counseling to such individual and shall initiate an investigation into such  
1030 violation. Upon completion of such investigation which results in substantive findings  
1031 related to such violation, the school may elect to reinstate the individual or impose  
1032 relevant discipline."

1033 **SECTION 18.**

1034 Said chapter is further amended by revising Code Section 20-2-1183, relating to written  
1035 agreement for law enforcement officers in schools, as follows:

1036 "20-2-1183.

1037 (a) When a local school system assigns or employs law enforcement officers in schools,  
1038 the local board of education shall have a collaborative written agreement with law  
1039 enforcement officials to establish the role of law enforcement and school employees in  
1040 school disciplinary matters and ensure coordination and cooperation among officials,  
1041 agencies, and programs involved in school discipline and public protection.

1042 (b) By October 1, 2025, the collaborative written agreement required by this Code section  
1043 shall include specific terms and conditions for the handling and disclosure of student  
1044 education records, student data, and student personally identifiable data, as such terms are  
1045 defined in Code Section 20-2-662. Such terms and conditions shall include, but shall not  
1046 be limited to:

1047 (1) Under what circumstances information regarding a student may or shall be disclosed  
 1048 to a law enforcement officer, a law enforcement agency, a judge or court personnel, or  
 1049 another state or local agency or officer with a legal interest in such information;  
 1050 (2) Whether any law enforcement officer who is subject to such agreement is or may act  
 1051 as a school official with access to student education records and the personally  
 1052 identifiable information contained therein; and  
 1053 (3) Whether the law enforcement officers who are subject to such agreement constitute  
 1054 a law enforcement unit, as such term is defined in the federal Family Education Rights  
 1055 and Privacy Act (FERPA) and its implementing regulations, 20 U.S.C. Section 1232g;  
 1056 and 34 C.F.R. Part 99.3; and, if so:  
 1057 (A) What records shall be handled as law enforcement unit records and are not  
 1058 protected by FERPA; and  
 1059 (B) What records shall be handled as education records and are protected by FERPA.  
 1060 (c) By August 1, 2025, the Department of Education shall publish on its public website  
 1061 model language for the terms and conditions required by this Code section to be available  
 1062 for use by schools and law enforcement officers. Such model language shall be reviewed  
 1063 and updated from time to time as necessary to comport with the content of the guidance  
 1064 document promulgated by the Department of Education chief privacy officer as provided  
 1065 for in Code Section 20-2-663."

1066 **SECTION 19.**

1067 Said chapter is further amended in Article 27, relating to loitering at or disrupting schools,  
 1068 by adding a new Code section to read as follows:

1069 "20-2-1185.1.

1070 (a) No later than June 1, 2026, each public school safety plan required by Code Section  
 1071 20-2-1185 shall include a behavioral threat assessment management plan for providing a  
 1072 structured, multidisciplinary process to identify, assess, and mitigate potential threats while  
 1073 supporting the safety and well-being of students and school personnel.

1074 (b)(1) The Georgia Emergency Management and Homeland Security Agency, in  
1075 collaboration with the Department of Behavioral Health and Developmental Disabilities,  
1076 shall provide training and technical assistance to the Department of Education, regional  
1077 education service agencies, and all local school systems and other public schools in this  
1078 state on the development and implementation of such behavioral threat assessment  
1079 management plans.

1080 (2) The Georgia Emergency Management and Homeland Security Agency, in  
1081 collaboration with the Department of Behavioral Health and Developmental Disabilities,  
1082 may provide the same or similar training and technical assistance to private schools in  
1083 this state."

1084 **SECTION 20.**

1085 Said chapter is further amended in Article 27 by designating Code Sections 20-2-1180  
1086 through 20-2-1185.1 as Part 1 and by adding a new part to read as follows:

1087 "Part 2

1088 20-2-1186.

1089 This part shall be known and may be cited as the 'Office of Safe Schools Act.'

1090 20-2-1186.1.

1091 As used in this part, the term:

1092 (1) 'Agency' means the Georgia Emergency Management and Homeland Security  
1093 Agency.

1094 (2) 'Individual of concern' means an individual whose behavior indicates a potential  
1095 threat to self or others.

1096 (3) 'Office' or the 'Office of Safe Schools' means a central repository for best practices,  
1097 training standards, and compliance oversight in all matters regarding school safety and  
1098 security.

1099 (4) 'S3 Database' or the 'School and Student Safety Database' means the state-wide  
1100 system for obtaining, developing, integrating, and disseminating data and information on  
1101 threats to the safety of schools, school staff, school events, and students provided for in  
1102 this part.

1103 (5) 'S3 record' means information and assessment findings related to an individual of  
1104 concern in the S3 Database.

1105 20-2-1186.2.

1106 (a) There is created the Office of Safe Schools. The office shall serve as a central  
1107 repository for best practices, training standards, and compliance oversight in all matters  
1108 regarding school safety and security, including prevention efforts, intervention efforts, and  
1109 emergency preparedness planning.

1110 (b) The office shall operate within the agency.

1111 (c) The office shall:

1112 (1) Provide technical assistance to each public school in this state to establish policies  
1113 and procedures for the prevention of violence on school grounds, including the  
1114 assessment of and intervention with individuals whose behavior poses a threat to the  
1115 safety of the school community;

1116 (2) Establish and update, as necessary, a school security risk assessment tool for use by  
1117 public schools. The office shall provide continuous training to appropriate public school  
1118 personnel on the proper assessment of physical site security and completion of a school  
1119 security risk assessment tool;

1120 (3) Provide ongoing professional learning opportunities to local school system personnel;

1121 (4) Provide a coordinated and interdisciplinary approach to providing technical  
1122 assistance and guidance to local school systems on safety and security and  
1123 recommendations therefor;

1124 (5) Develop and implement a school safety director training program for school safety  
1125 directors. The office shall develop the training program which shall be based on national  
1126 and state best practices on school safety and security and must include active shooter  
1127 training. The office shall develop training modules in traditional or online formats. A  
1128 school safety director certificate of completion shall be awarded to a school safety  
1129 director who satisfactorily completes the training required by rules of the office. The  
1130 office shall work with the Georgia Public Safety Training Center to ensure the school  
1131 safety director certificate aligns with the school resource officer program standards;

1132 (6) Review and provide recommendations on the security risk assessments;

1133 (7) Disseminate, in consultation with the Department of Public Safety, to participating  
1134 schools awareness and education materials on the proper use of the 'See Something, Send  
1135 Something' digital reporting application, including the consequences of knowingly  
1136 submitting false information; and

1137 (8) Develop a state-wide behavioral threat management operational process, a state-wide  
1138 behavioral threat assessment indicator, and the S3 Database.

1139 20-2-1186.3.

1140 (a) By July 1, 2026, the office shall develop a state-wide behavioral threat management  
1141 operational process to guide local school systems, schools, and local law enforcement  
1142 through the threat management process. The process must be designed to identify, assess,  
1143 manage, and monitor potential and real threats to schools. This process shall include, but  
1144 shall not be limited to:

1145 (1) The establishment and duties of threat management teams;

1146 (2) Defining behavioral risks and threats;

- 1147 (3) Evaluating the behavior of students who may pose a threat to the school, school  
1148 personnel, or other students and to coordinate intervention and services for such students;
- 1149 (4) The use, authorized user criteria, and access specifications for information collected  
1150 by the behavioral threat management teams;
- 1151 (5) Procedures for the implementation of interventions, school support, and community  
1152 services;
- 1153 (6) Guidelines for appropriate law enforcement intervention;
- 1154 (7) Procedures for risk management;
- 1155 (8) Procedures for disciplinary actions;
- 1156 (9) Mechanisms for continued monitoring of potential and real threats;
- 1157 (10) Procedures for referrals to mental health services identified by the local school  
1158 system; and
- 1159 (11) Procedures and requirements necessary for the creation of a threat assessment  
1160 report, all corresponding documentation, and any other required information.
- 1161 (b) Upon availability, each local school system and school must use the state-wide  
1162 behavioral threat management operational process.
- 1163 (c) The office shall provide training to all local school systems and schools on the  
1164 state-wide behavioral threat management operational process.
- 1165 (d) The office shall coordinate the ongoing development, implementation, and operation  
1166 of the state-wide behavioral threat management operational process.
- 1167 20-2-1186.4.
- 1168 (a) By July 1, 2026, the office shall develop a state-wide behavioral threat assessment  
1169 indicator to evaluate the behavior of students who may pose a threat to the school, school  
1170 personnel, or students and to coordinate intervention and services for such students. The  
1171 state-wide behavioral threat assessment indicator shall include, but shall not be limited to:
- 1172 (1) An assessment of the threat, which includes an assessment of the student, family,  
1173 school, and social dynamics;

- 1174 (2) An evaluation to determine whether a threat exists and if so, the type of threat;  
1175 (3) The response to a threat, which includes the school response, the role of law  
1176 enforcement agencies in the response, and the response by mental health providers;  
1177 (4) Ongoing monitoring to assess implementation of threat management and safety  
1178 strategies;  
1179 (5) Ongoing monitoring to evaluate interventions and support provided to the student;  
1180 and  
1181 (6) A standardized threat assessment report, which shall include, but shall not be limited  
1182 to, all documentation associated with the evaluation, intervention, management, and any  
1183 ongoing monitoring of the threat.
- 1184 (b) Upon availability, each local school system and school shall use the behavioral threat  
1185 assessment indicator.
- 1186 (c) The office shall provide training for members of local law enforcement and for all local  
1187 school systems regarding the use of the behavioral threat assessment indicator.

1188 20-2-1186.5.

- 1189 (a) Not later than July 1, 2026, the agency shall procure a state-wide behavioral threat  
1190 assessment management system, known as the School and Student Safety Database or S3  
1191 Database, that will collect and integrate data to evaluate the behavior of students who may  
1192 pose a threat to the school, school personnel, or students; to provide for timely and  
1193 methodical school based threat assessment and management; and to coordinate intervention  
1194 and services for such students.
- 1195 (b) The S3 Database shall include, but shall not be limited to, the following functionalities:
- 1196 (1) Workflow processes that align with the state-wide behavioral threat management  
1197 operational process;
- 1198 (2) Direct data entry and file uploading, as required by the behavioral threat assessment  
1199 indicator;

- 1200 (3) The ability to create a threat assessment report as required by the behavioral threat  
1201 assessment indicator;
- 1202 (4) The ability of authorized personnel to add to or update a threat assessment report, all  
1203 corresponding documentation, or any other information as required by the behavioral  
1204 threat assessment indicator;
- 1205 (5) The ability to create and remove connections between S3 records in the portal and  
1206 authorized personnel;
- 1207 (6) The ability to securely transfer S3 records in the portal to other public schools or  
1208 private or charter schools;
- 1209 (7) The ability to grant jurisdiction-appropriate access to the appointed school safety  
1210 directors, authorized members of the established threat management teams, and  
1211 authorized personnel as specified by the state-wide behavioral threat management  
1212 operational process; and
- 1213 (8) The ability to receive tips and threat reports from federal agencies, state agencies, and  
1214 local law enforcement.
- 1215 (c) To ensure access to timely, complete, and accurate information, the S3 Database shall,  
1216 at a minimum, receive and share data from the following sources:
- 1217 (1) The Department of Administrative Services;
- 1218 (2) The Department of Behavioral Health and Developmental Disabilities;
- 1219 (3) The Department of Education;
- 1220 (4) The Department of Human Services;
- 1221 (5) The Division of Family and Children Services;
- 1222 (6) The Department of Juvenile Justice;
- 1223 (7) The Georgia Bureau of Investigation;
- 1224 (8) The Georgia Technology Authority;
- 1225 (9) The mobile suspicious activity reporting tool known as 'See Something, Send  
1226 Something'; and
- 1227 (10) Local law enforcement and their threat reporting systems.

1228 (d) A local school system may request copies of S3 records of individuals of concern in  
1229 that local school system for authorized local school system personnel.

1230 (e) The parent of a student may request a copy of his or her student's S3 record, but the  
1231 request shall not be considered if said parent's parental rights have been terminated or a  
1232 court of competent jurisdiction has restricted or denied such access.

1233 (f) To maintain the confidentiality requirements attached to the information provided to  
1234 the S3 Database by the various state and local agencies, each source agency providing data  
1235 to the S3 Database shall be the sole custodian of the data for the purpose of any request for  
1236 inspection or copies thereof under Code Section 50-18-72.

1237 (g) The S3 Database shall comply with the requirements and standards established by the  
1238 Federal Bureau of Investigation's Criminal Justice Information Services Security Policy.

1239 (h) The office shall develop and implement a quarterly S3 Database access review audit  
1240 process.

1241 (i) Upon availability, each local school system and school shall comply with the quarterly  
1242 S3 Database access review audit process developed by the office.

1243 (j) By August 1, 2026, and annually thereafter, the office shall provide role-based training  
1244 to all authorized local school system and school personnel.

1245 (k) Any individual who accesses, uses, or releases any S3 record for a purpose not  
1246 specifically authorized by law commits a noncriminal infraction, punishable by a fine not  
1247 to exceed \$2,000.00.

1248 20-2-1186.6.

1249 The office shall provide technical assistance to ensure each local school system establishes  
1250 school safety best practices, which shall include:

1251 (1) Each local school system shall designate a school safety director for such local school  
1252 system. The school safety director shall be a school administrator employed by such  
1253 local school system, a law enforcement officer employed by such local school system,  
1254 a law enforcement officer employed by the sheriff's office of the county where such local

1255 school system is primarily located, or a law enforcement officer employed by the city  
1256 police department of the city where such local school system is primarily located. Any  
1257 school safety director designated from a sheriff's office must first be authorized and  
1258 approved by the sheriff employing such law enforcement officer. Any school safety  
1259 director designated from a sheriff's office remains the employee of the sheriff's office for  
1260 purposes of compensation, insurance, workers' compensation, and other benefits  
1261 authorized by law for a law enforcement officer employed by the sheriff's office. The  
1262 sheriff and the local school superintendent shall determine by agreement the  
1263 reimbursement for such costs, or may share the costs, associated with employment of the  
1264 law enforcement officer as a school safety director. The school safety director must earn  
1265 a certificate of completion of the school safety director training provided by the office  
1266 within one year after appointment and is responsible for the supervision and oversight for  
1267 all school safety and security personnel, policies, and procedures in the local school  
1268 system;

1269 (2) The school safety director, or his or her qualified designee, shall:

1270 (A) Annually review local school system policies and procedures for compliance with  
1271 state law and rules. At least quarterly, the school safety director shall report to the local  
1272 school superintendent and the local board of education any noncompliance by the local  
1273 school system with laws or rules regarding school safety;

1274 (B) Provide the necessary training and resources to students and local school system  
1275 staff in matters relating to youth mental health awareness and assistance; emergency  
1276 procedures, including active shooter training; and school safety and security;

1277 (C) Serve as the local school system liaison with local public safety agencies and  
1278 national, state, and community agencies and organizations in matters of school safety  
1279 and security;

1280 (D) In collaboration with the appropriate public safety agencies, by October 1 of each  
1281 year, conduct a school security risk assessment at each public school and private school  
1282 by request. Based on the assessment findings, the local school system's school safety

1283 director shall provide recommendations to the local school superintendent and the local  
1284 board of education which identify strategies and activities that the local board of  
1285 education should establish, and the local school superintendent should implement, in  
1286 order to address the findings and improve school safety and security. Each local board  
1287 of education must receive such findings and the school safety director's  
1288 recommendations at a publicly noticed local board of education meeting to provide the  
1289 public an opportunity to hear the local board of education members discuss and take  
1290 action on the findings and recommendations. Each school safety director, through the  
1291 local school superintendent, shall report such findings and school board action to the  
1292 office within 30 days after the local board of education meeting;

1293 (E) Conduct annual unannounced inspections, using the form adopted by the office and  
1294 the local school system, of all public schools while school is in session and investigate  
1295 reports of noncompliance with school safety requirements to the local school  
1296 superintendent;

1297 (F) Report violations of school safety requirements by educators to the local school  
1298 superintendent, as applicable; and

1299 (G) By October 1 of each year, the school safety director shall hold a public meeting  
1300 with parents to inform them of school safety policies and to hear their input. Such  
1301 meeting may include other school officials, law enforcement officers, and the local  
1302 mental health coordinator;

1303 (3) Each local school superintendent shall identify a mental health coordinator for the  
1304 local school system. The mental health coordinator shall serve as the local school  
1305 system's primary point of contact regarding the local school system's coordination,  
1306 communication, and implementation of student mental health policies, procedures,  
1307 responsibilities, and reporting, including:

1308 (A) Coordinating with the office;

1309 (B) Maintaining records and reports regarding student mental health as it relates to  
1310 school safety;

- 1311 (C) Facilitating the implementation of local school system policies relating to the  
1312 respective duties and responsibilities of the local school system, the local school  
1313 superintendent, and local school system principals;
- 1314 (D) Coordinating with the school safety director on the staffing and training of threat  
1315 assessment teams and facilitating referrals to mental health services, as appropriate, for  
1316 students and their families;
- 1317 (E) Coordinating with the school safety director on the training and resources for  
1318 students and local school system staff relating to youth mental health awareness and  
1319 assistance; and
- 1320 (F) Reviewing annually the local school system's policies and procedures related to  
1321 student mental health for compliance with state law and alignment with current best  
1322 practices and making recommendations, as needed, for amending such policies and  
1323 procedures to the local school superintendent and the local board of education;
- 1324 (4) Each school safety director shall coordinate with the appropriate public safety  
1325 agencies that are designated as first responders to a school's campus to conduct an  
1326 inspection of such campus once every three years and provide recommendations related  
1327 to school safety. The office may be utilized to help coordinate and participate in these  
1328 inspections. The recommendations by the public safety agencies must be considered as  
1329 part of the recommendations by the school safety director pursuant to paragraph (A) of  
1330 paragraph (2) of this subsection;
- 1331 (5) Each local board of education shall adopt, in coordination with local law enforcement  
1332 agencies and local governments, a family reunification plan to reunite students and  
1333 employees with their families in the event that a school is closed or unexpectedly  
1334 evacuated due to a natural or manmade disaster. Such reunification plan must be  
1335 reviewed annually and updated, as applicable;
- 1336 (6) By August 1, 2026, each local school system shall comply with the following school  
1337 safety requirements:

1338 (A) All exterior doors or other access points that restrict ingress to or egress from a  
1339 school campus shall remain closed and locked at all times. An exterior door or other  
1340 campus access point may not be open or unlocked, regardless of whether it is during  
1341 normal school hours, unless: (1) attended or actively monitored by a school staff  
1342 member; or (2) the use is in accordance with a shared use agreement;  
1343 (B) All school classrooms and other instructional spaces must be locked to prevent  
1344 ingress when occupied by students, except between class periods when students are  
1345 moving between classrooms or other instructional spaces. If a classroom or other  
1346 instructional space door must be left unlocked or open for any reason other than  
1347 between class periods when students are moving between classrooms or other  
1348 instructional spaces, the door must be actively staffed by a person standing or seated  
1349 at the door;  
1350 (C) All campus access doors and other access points that allow ingress to or egress  
1351 from a school building shall remain closed and locked at all times to prevent ingress,  
1352 unless a person is actively entering or exiting the door or other access point. All  
1353 campus access doors, gates, and other access points may be electronically or manually  
1354 controlled by school personnel to allow access by authorized visitors, students, and  
1355 school personnel;  
1356 (D) All school classrooms and other instructional spaces must clearly and  
1357 conspicuously mark the safest areas in each classroom or other instructional space  
1358 where students must shelter in place during an emergency. Students must be notified  
1359 of these safe areas within the first ten days of the school year. The office shall assist  
1360 the school safety director with compliance during inspections; and  
1361 (E) Persons who are aware of a violation of this paragraph must report the violation to  
1362 the school principal. The school principal must report the violation to the school safety  
1363 director no later than the next business day after receiving such report. If the person  
1364 who violated this paragraph is the school principal, the report must be made directly to  
1365 the local school superintendent, as applicable; and

1366 (7) Each local board of education shall adopt a progressive discipline policy for  
1367 addressing any educator as defined in Code Section 20-2-982.1 who knowingly violates  
1368 school safety requirements.

1369 20-2-1186.7.

1370 The office shall ensure that each local school system establishes a threat management team  
1371 at each school whose duties include the coordination of resources and assessment of and  
1372 intervention with students whose behavior may pose a threat to themselves or the safety of  
1373 the school, school staff, or other students. Each school's threat management team shall  
1374 adhere to the following requirements:

1375 (1) Upon the availability of a state-wide behavioral threat management operational  
1376 process, all threat management teams shall use the operational process;

1377 (2) A threat management team shall be formed at the discretion of the local school  
1378 superintendent and local sheriff's office, and shall include persons with expertise in  
1379 counseling, mental health instruction, school administration, and law enforcement. All  
1380 members of the threat management team must be involved in the threat assessment and  
1381 threat management process and final decision making. At least one member of the threat  
1382 management team must have personal familiarity with the individual who is the subject  
1383 of the threat assessment. If no member of the threat management team has such  
1384 familiarity, an educator, as defined in Code Section 20-2-982.1, who is personally  
1385 familiar with the individual who is the subject of the threat assessment must consult with  
1386 the threat management team for the purpose of assessing the threat. The educator who  
1387 provides such consultation shall not participate in the decision-making process;

1388 (3) The threat management team shall identify members of the school community to  
1389 whom threatening behavior should be reported and provide guidance to students, faculty,  
1390 and staff regarding recognition of threatening or aberrant behavior that may represent a  
1391 threat to the community, school, or self;

1392 (4) Upon the availability of the state-wide behavioral threat assessment indicator, all  
1393 threat management teams shall use that indicator when evaluating the behavior of  
1394 students who may pose a threat to the school, school staff, or students and to coordinate  
1395 intervention and services for such students;

1396 (5) Upon a preliminary determination that a student poses a threat of violence or physical  
1397 harm to himself or herself or others, a threat management team shall immediately report  
1398 its determination to the local school superintendent or his or her designee, local law  
1399 enforcement, and the office. The local school superintendent or his or her designee shall  
1400 immediately attempt to notify the student's parent or legal guardian and will determine  
1401 who within the threat management team is the most appropriate to handle the situation.  
1402 Nothing in this subsection precludes the local school system from acting immediately to  
1403 address an imminent threat;

1404 (6) Upon a preliminary determination by the threat management team that a student  
1405 poses a threat of violence to himself or herself or others or exhibits significantly  
1406 disruptive behavior or need for assistance, authorized members of the threat management  
1407 team shall submit a report to the office, who will use the S3 Database to complete its own  
1408 report based on all available state resources on the individual of concern. A member of  
1409 a threat management team may not disclose any information gathered during the creation  
1410 of the report, gathered on the individual of concern from the office, or otherwise use any  
1411 record of an individual beyond the purpose for which such disclosure was made to the  
1412 threat management team;

1413 (7) Notwithstanding any other provision of law, all state and local agencies and programs  
1414 that provide services to students experiencing or at risk of demonstrating behavior which  
1415 indicates they may harm themselves or others, including, but not limited to, local school  
1416 systems, school personnel, state and local law enforcement agencies, the Department of  
1417 Juvenile Justice, the Department of Human Services, the Division of Family and Children  
1418 Services, the Department of Behavioral Health and Developmental Disabilities, the  
1419 Department of Education, the Office of the Child Advocate for the Protection of

1420 Children, and any service or support provider contracting with such agencies, should  
1421 submit concerns to the office using the S3 Database to ensure the safety of the student or  
1422 others;

1423 (8) If an immediate mental health or substance abuse crisis is suspected, school  
1424 personnel shall follow steps established by the threat management team to engage  
1425 behavioral health crisis resources. Behavioral health crisis resources, including, but not  
1426 limited to, mobile crisis teams and school resource officers trained in crisis intervention,  
1427 shall provide emergency intervention and assessment, make recommendations, and refer  
1428 the student for appropriate services. Onsite school personnel shall report all such  
1429 situations and actions taken to the threat management team, which shall contact the other  
1430 agencies involved with the student and any known service providers to share information  
1431 and coordinate any necessary follow-up actions. Upon the student's transfer to a different  
1432 school, the threat management team shall verify that any intervention services provided  
1433 to the student remain in place until the threat management team of the receiving school  
1434 independently determines the need for intervention services;

1435 (9) If human trafficking or gang affiliation is suspected, school personnel shall follow  
1436 steps established by the threat management team to seek law enforcement assistance and  
1437 to identify appropriate interventions for the safety of the student from outside criminal  
1438 syndicates;

1439 (10) The threat management team shall prepare a threat assessment report required by  
1440 the state-wide behavioral threat assessment indicator. A threat assessment report, all  
1441 corresponding documentation, and any other information required by the state-wide  
1442 behavioral threat assessment indicator shall be submitted to the office through the S3  
1443 Database. Reports, tips, and information submitted into the S3 Database shall become  
1444 an S3 record; and

1445 (11) Each local board of education shall establish a threat management coordinator to  
1446 serve as the primary point of contact regarding the local school system's coordination,

1447 communication, and implementation of the threat management program and to report  
1448 quantitative data to the office.

1449 20-2-1186.8.

1450 By August 1 of each year, the office shall:

1451 (1) Evaluate each local school system's use of the state-wide behavioral threat  
1452 management operational process, the state-wide behavioral threat assessment indicator,  
1453 and the S3 Database for compliance with this part;

1454 (2) Notify the local school superintendent, as applicable, if the use of the state-wide  
1455 behavioral threat management operational process, the state-wide behavioral threat  
1456 assessment indicator, or the S3 Database is not in compliance with this part; and

1457 (3) Report any issues of ongoing noncompliance with this part to the commissioner of  
1458 Juvenile Justice and the local school superintendent, as applicable.

1459 20-2-1186.9.

1460 (a)(1) By August 1, 2025, the office shall develop and adopt a school safety compliance  
1461 inspection report to document compliance or noncompliance with school safety  
1462 requirements mandated by law, rule, or regulation and adherence to established school  
1463 safety best practices to evaluate the safety, security, and emergency response of the  
1464 school.

1465 (2) Upon the adoption of the report and upon any revisions to the report, the office shall  
1466 provide a blank copy of such report to each local school superintendent.

1467 (b) The office shall monitor compliance with requirements relating to school safety by  
1468 local school systems and schools. The office shall conduct unannounced inspections of all  
1469 public schools while school is in session, triennially, and investigate reports of  
1470 noncompliance with school safety requirements. Within three school days after the  
1471 unannounced inspection, the office shall provide a copy of the completed school safety  
1472 compliance inspection report, including any photographs or other evidence of

1473 noncompliance, to the school safety director; the school principal, as appropriate, and the  
 1474 local school superintendent. The school safety director shall acknowledge, in writing,  
 1475 receipt of the report within one school day after receipt. The office shall reinspect any  
 1476 school with documented deficiencies within six months. The school safety director, or his  
 1477 or her designee, shall provide the office with written notice of how the noncompliance has  
 1478 been remediated within three school days after receipt of the report.

1479 (c) The office shall provide quarterly reports to each local school superintendent and school  
 1480 safety director identifying the number and percentage of schools inspected or reinspected  
 1481 during that quarter and the number and percentage of inspected schools that had no school  
 1482 safety requirement deficiencies. The school safety director shall present each quarterly  
 1483 report to the local board of education in a public meeting. Annually, during the first  
 1484 quarter of every school year, the school safety director shall report to the local board of  
 1485 education in a public meeting the number of schools inspected during the preceding  
 1486 calendar year and the number and percentage of schools in compliance during the initial  
 1487 inspection and reinspection."

1488

### SECTION 21.

1489 Code Section 16-11-37 of the Official Code of Georgia Annotated, relating to terroristic  
 1490 threats and acts and penalties, is amended by revising paragraph (1) of subsection (d) and by  
 1491 adding new subsections to read as follows:

1492 "(d)(1) A person convicted of the offense of a terroristic threat shall be punished as for  
 1493 a misdemeanor; provided, however, that, if the threat suggested the death of the  
 1494 threatened individual or threatened the death of, or serious injury to, a group of  
 1495 individuals who are or will likely be at or within a school, the person convicted shall be  
 1496 guilty of a felony and shall be punished by a fine of not more than \$1,000.00,  
 1497 imprisonment for not less than one nor more than five years, or both."

1498 "(f) Any parent or legal guardian who intentionally advises, counsels, encourages, aids, or  
 1499 abets his or her minor child in the commission of an offense prohibited by paragraph (1)

1500 of subsection (d) of this Code section, relating to threatening the death of, or serious injury  
1501 to, a group of individuals who are or will likely be at or within a school, shall be deemed  
1502 a person concerned in the commission of such offense, as provided for in Code Section  
1503 16-2-20, and may be charged with and convicted of the commission of such offense as a  
1504 party thereto.

1505 (g) Whenever there is a credible accusation that a person threatened, whether verbally, in  
1506 writing, or otherwise, the death of, or serious injury to, a group of individuals, pursuant to  
1507 paragraph (1) of subsection (d) of this Code section, who are or will likely be at or within  
1508 a school and that the person who made the threat attends, or has attended, the school, such  
1509 school shall immediately suspend and provide counseling to the person who made the  
1510 threat while the school and other parties investigate the allegation or information related  
1511 to the threat. Once the school has made a substantive finding related to the threat, it may  
1512 elect to reinstate the person or impose relevant discipline."

1513 **SECTION 22.**

1514 Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to  
1515 inspection of public records, is amended in Code Section 50-18-72, relating to when public  
1516 disclosure not required, by striking "or" at the end of paragraph (51), by replacing the period  
1517 with "; and" at the end of paragraph (52), and by adding a new paragraph to read as follows:

1518 "(53) Information held in the School and Student Safety Database provided for in Part 2  
1519 of Article 27 of Chapter 2 of Title 20 or by a threat management team established by a  
1520 local school system relating to the assessment of or intervention with an individual of  
1521 concern."

1522 **SECTION 23.**

1523 This Act shall become effective upon its approval by the Governor or upon its becoming law  
1524 without such approval.

1525

**SECTION 24.**

1526 All laws and parts of laws in conflict with this Act are repealed.