

The Senate Committee on Judiciary offered the following substitute to SB 179:

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 require that the academic and disciplinary
3 records of each transferring student shall be provided by such student's previous school to
4 the receiving school; to reduce the number of days by which a parent or guardian of a
5 transferring student shall receive copies of such records; to establish a misdemeanor offense
6 for failure to disclose required information regarding students; to provide for penalties; to
7 provide that certain officials shall be responsible for compliance; to require written reports
8 to school officials and parents or guardians of official encounters of law enforcement officers
9 with school age youth, subject to exceptions; to provide for evidence based suicide awareness
10 and training programs and a state-wide anonymous reporting program; to provide for
11 evidence based youth violence prevention training programs; to provide for student violence
12 prevention clubs; to provide for local policies for anonymous reporting; to provide for the
13 criminal offenses of terroristic threat of a school and terroristic act upon a school; to provide
14 for penalties; to provide for definitions; to provide for related matters; to provide for an
15 effective date and applicability; to repeal conflicting laws; and for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

17

SECTION 1.

18 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
19 secondary education, is amended by revising Code Section 20-2-670, relating to
20 requirements for transferring students beyond sixth grade, conditional admission, and
21 compliance, as follows:

22 "20-2-670.

23 (a) A transferring student applying for admission to a grade higher than the sixth grade
24 shall as a prerequisite to admission present a certified copy of his or her academic transcript
25 and disciplinary record from the school previously attended.

26 (b)(1)(A) In lieu of complying with the provision of subsection (a) of this Code
27 section, a transferring student may be admitted on a conditional basis if he or she and
28 his or her parent or legal guardian execute a document providing the name and address
29 of the school last attended and authorizing the release of all academic and disciplinary
30 records to the school administration. Such records shall be transferred to the school
31 administration within ten days by the local school superintendent or the school
32 principal, as applicable, of such school last attended. The parent or guardian shall be
33 notified of the transfer of such records and shall, upon written request ~~made within ten
34 days of such notice~~, be entitled to receive a copy of such records within five days.
35 Within five days of the receipt of a copy of such records, the parent or guardian may
36 make a written request for and shall be entitled to a hearing before the local school
37 superintendent or principal of the school, as applicable, or his or her designee which is
38 the custodian of such records for the purpose of challenging the content of the records.
39 (B) Any form document to authorize the release of records which is provided by a
40 school to a transferring student or such student's parent or legal guardian shall include
41 a list of class A designated felony acts or class B designated felony acts.

42 (2) The student or his or her parent or legal guardian shall also disclose on the same
43 document as the release provided for in paragraph (1) of this subsection whether the child

44 has ever been adjudicated guilty of the commission of a class A designated felony act or
45 class B designated felony act, as defined in Code Section 15-11-2 and, if so, the date of
46 such adjudication, the offense committed, the jurisdiction in which such adjudication was
47 made, and the sentence imposed. Any form document to authorize the release of records
48 which is provided by a school to a transferring student or such student's parent or legal
49 guardian shall include a list of class A designated felony acts or class B designated felony
50 acts. The student or his or her parent or legal guardian shall also disclose on the
51 document whether the student is currently serving a suspension or expulsion from another
52 school, the reason for such discipline, and the term of such discipline. Any student or the
53 parent or legal guardian of such student residing in this state who violates this Code
54 section shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject
55 to a fine of not greater than \$1,000.00, imprisonment not to exceed 30 days, community
56 service, or any combination of such penalties, at the discretion of the court having
57 jurisdiction.

58 (3) If a student so conditionally admitted is found to be ineligible for enrollment pursuant
59 to the provisions of Code Section 20-2-751.2, or is subsequently found to be so ineligible,
60 he or she shall be dismissed from enrollment until such time as he or she becomes so
61 eligible.

62 (c) Every school system and school in this state shall be obligated to provide complete
63 information to a requesting school pursuant to subsection (b) of this Code section within
64 ten days of receipt of such request.

65 (d)(1) In the case of local school systems, the local school superintendent shall be
66 responsible for transferring records as required by subsection (b) of this Code section and
67 providing complete information as required by subsection (c) of this Code section.

68 (2) Except as provided in paragraph (1) of this subsection, the school principal shall be
69 responsible for transferring records as required by subsection (b) of this Code section and
70 providing complete information as required by subsection (c) of this Code section.

71 (e) Notwithstanding the provisions of this Code section, any transferring student in the
 72 custody of the Department of Human Services, through its Division of Family and Children
 73 Services, shall be immediately admitted to an enrolling school, even if records required for
 74 enrollment cannot be produced, in order to ensure educational stability and continuity. All
 75 records shall be transferred to the school administrator within ten days by the local school
 76 superintendent or school principal, as applicable, of the school such transferring student
 77 last attended."

78 **SECTION 2.**

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

81 "20-2-700.

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

83 (1) 'School age youth' means an individual who is between his or her sixth and sixteenth
 84 birthdays or who a law enforcement officer knows or reasonably believes is enrolled in
 85 a public or private elementary or secondary school in this state. Such term shall not
 86 include an individual who has successfully completed all the requirements for a high
 87 school diploma or a state approved high school equivalency (HSE) diploma.

88 (2) 'School official' means a local school superintendent or his or her designee or a
 89 school principal or other school administrator.

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

95 (c) Within seven days of a felony arrest of a school age youth in this state, the arresting
 96 agency shall provide a written report of such felony arrest to a school official of the public

97 or private school in which such school age youth is currently enrolled or would be enrolled
 98 by virtue of his or her primary residence and to his or her parent or guardian."

99

SECTION 3.

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

102 "20-2-779.1.

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

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

106 (A) Strong evidence from at least one well designed and well implemented
 107 experimental study;

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

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

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

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

116 (1) All ~~all~~ certificated public school personnel receive annual training in suicide
 117 awareness and prevention. This training shall be provided within the framework of
 118 existing in-service training programs offered by the Department of Education or as part
 119 of required professional development offered by a local school system;

120 (2) Beginning in the 2026-2027 school year, and continuing each school year thereafter,
 121 all public schools serving students in grades six through 12 which receive funds in any
 122 manner from the state shall provide to students at least one hour of evidence based

123 suicide awareness and prevention training each school year. Such training may be
124 delivered in person, remotely, or digitally and may be included as part of the health and
125 physical education course of study provided for in subsection (c) of Code
126 Section 20-2-142; and

127 (3) All public schools serving students in any one of grades six through 12 which receive
128 funds in any manner from the state shall provide to students at least one hour of evidence
129 based youth violence prevention training each school year. Such training may be
130 delivered in person, remotely, or digitally and may be included as part of the health and
131 physical education course of study provided for in subsection (c) of Code
132 Section 20-2-142.

133 ~~(2)(c)(1)~~ The Department of Education shall, in consultation with the Department of
134 Behavioral Health and Developmental Disabilities, the Suicide Prevention Program
135 established pursuant to Code Section 37-1-27, and suicide prevention experts, develop
136 a list of approved evidence based training materials to fulfill the requirements of ~~this~~
137 paragraph (1) of subsection (b) of this Code section which may include training materials
138 currently being used by a local school system if such training materials meet any criteria
139 established by the department. Such materials shall include training on how to identify
140 appropriate mental health services, both within the school and also within the larger
141 community, and when and how to refer youth and their families to those services. Such
142 materials may include programs that can be completed through self-review of suitable
143 suicide prevention materials.

144 ~~(3) Approved materials shall include training on how to identify appropriate mental~~
145 ~~health services, both within the school and also within the larger community, and when~~
146 ~~and how to refer youth and their families to those services.~~

147 ~~(4) Approved materials may include programs that can be completed through self-review~~
148 ~~of suitable suicide prevention materials.~~

149 (2) By January 1, 2026, the Department of Education shall, in consultation with the
150 Department of Behavioral Health and Developmental Disabilities and the Suicide
151 Prevention Program established pursuant to Code Section 37-1-27, develop and post a list
152 of approved evidence based training materials, including no-cost programming, if any,
153 to fulfill the requirements of paragraph (2) of subsection (b) of this Code section. Such
154 materials shall, at a minimum:

155 (A) Teach students how to recognize the observable signs and signals of depression,
156 suicide, and self-injury in themselves and their peers; and

157 (B) Teach students the importance of seeking help for themselves and their peers, as
158 well as the process for seeking help.

159 (3) By January 1, 2026, the Department of Education shall, in consultation with the
160 Department of Behavioral Health and Developmental Disabilities and the Suicide
161 Prevention Program established pursuant to Code Section 37-1-27, develop a list of
162 approved evidence based training materials, including no-cost programming, if any, to
163 fulfill the requirements of paragraph (3) of subsection (b) of this Code section. Such
164 materials shall, at a minimum, include all of the following:

165 (A) How to recognize the observable warning signs and signals of persons who may
166 be at risk of harming themselves or others;

167 (B) The importance of taking threats seriously and seeking help; and

168 (C) The steps that can be taken to report dangerous, violent, threatening, harmful, or
169 potentially harmful behavior.

170 (4)(A) The Department of Education shall make the lists of approved evidence based
171 training materials required under this subsection, including no-cost programming, if
172 any, available on its public website.

173 (B) The Department of Education shall keep the lists of approved evidence based
174 training materials timely updated by reviewing such lists, at a minimum, every 36
175 months.

176 (5) To assist public schools and local school systems in developing their own policies
177 for student suicide awareness and prevention as provided for in this subsection, the
178 Department of Education, in consultation with the Department of Behavioral Health and
179 Developmental Disabilities and the Suicide Prevention Program established pursuant to
180 Code Section 37-1-27, shall establish a model policy for use by public schools and local
181 school systems in accordance with this Code section.

182 (6)(A) By July 1, 2026, the Department of Education shall develop and operate, or
183 contract with a provider to develop and operate, and make available to all schools in
184 this state a state-wide anonymous reporting program. Such anonymous reporting
185 program shall, at a minimum:

186 (i) Be accessible by any person to report anonymously a dangerous, violent,
187 threatening, harmful, or potentially harmful activity which occurs on, or is threatened
188 to occur on, school property or which relates to a student or school personnel;

189 (ii) Provide support 24 hours per day, seven days per week for anonymous reporting
190 through, at a minimum, a mobile telephone application and a multilingual crisis
191 center, which shall be staffed by individuals with evidence based counseling and
192 crisis intervention training;

193 (iii) Promptly forward reported information to the appropriate school based team;

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

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

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

203 (vii) Promote public awareness and education about the state-wide anonymous
204 reporting program and its reporting methods prior to its launch; and
205 (viii) Comply with all federal and state laws.
206 (B)(i) In the first year in which the state-wide anonymous reporting program is
207 implemented, the Department of Education shall require all local school systems to
208 submit a report on the total number of disciplinary actions in the previous 12 months,
209 disaggregated by school, type of disciplinary action, and the gender and race of the
210 student subject to the disciplinary action.
211 (ii) Each year following the implementation of the state-wide anonymous reporting
212 program, the Department of Education shall require all local school systems to submit
213 annual reports documenting, at a minimum:
214 (I) The total number of tips received for the previous school year;
215 (II) The total number of tips received since the state-wide anonymous reporting
216 program began, disaggregated by school and for each school: tips by type, the
217 method by which the tip was received, and the total number of false reports
218 received; and
219 (III) The total number of responses to incoming tips, disaggregated by disciplinary
220 actions, nondisciplinary actions, interventions, and the gender and race of each
221 student subject to such actions or interventions.
222 (C) Not later than May 1, 2026, the Department of Education shall identify and
223 compile a state-wide data base that includes, at a minimum, the following identified
224 individuals for the purposes of implementing and coordinating the delivery of the
225 state-wide anonymous reporting program provided for in this paragraph:
226 (i) A designated point of contact within each local emergency 9-1-1 public safety
227 answering point; and
228 (ii) A designated point of contact within each school in this state, who shall be
229 responsible for managing the school based team.

230 (D) The Department of Education shall operate, or contract with a provider to operate,
231 the following:

232 (i) A public website which educates students on the availability of the state-wide
233 anonymous reporting program and which provides guidance on how and when to use
234 such program; and

235 (ii) A toll-free telephone hotline that can be used to provide anonymous tips
236 regarding dangerous, violent, threatening, harmful, or potentially harmful activity
237 which occurs on, or is threatened to occur on, school property or which relates to a
238 student or school personnel.

239 (5)(A)(d)(1) Each local school system board of education or public school governing
240 body shall:

241 (A) Adopt policies, rules, and regulations adopt a policy on student suicide awareness
242 and prevention. Such policies, rules, and regulations shall be developed in consultation
243 with school and community stakeholders, school employed mental health professionals,
244 and suicide prevention experts, and shall, at a minimum, address procedures relating
245 to suicide prevention, intervention, and postvention;:

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

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

254 (D) Implement an evidence based youth violence prevention training program to
255 instruct students how to recognize the observable warning signs and signals of someone
256 who may be at risk of harming himself, herself, or others; the importance of taking

257 threats seriously and seeking help; and how to report someone who is at risk, including
 258 by using the state-wide anonymous reporting program.

259 (2) Each local board of education or public school governing body shall require each
 260 public school that sponsors or otherwise permits student organizations or clubs to
 261 designate a student-led youth violence prevention club to sustain awareness activities
 262 related to suicide prevention and violence prevention. Such student violence prevention
 263 club, including existing clubs, shall:

264 (A) Be open to all members of the student body;

265 (B) Engage in awareness activities related to youth suicide prevention, youth violence
 266 prevention, and social inclusion;

267 (C) Foster opportunities for student leadership development; and

268 (D) Have at least one administrator, teacher, or other school personnel serve as a
 269 faculty advisor. ~~(B) To assist local school systems in developing their own policies for~~
 270 ~~student suicide prevention, the Department of Education, in consultation with the~~
 271 ~~Suicide Prevention Program within the Department of Behavioral Health and~~
 272 ~~Developmental Disabilities, shall establish a model policy for use by local school~~
 273 ~~systems in accordance with this Code section.~~

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

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

279 **SECTION 4.**

280 This Act shall become effective upon its approval by the Governor or upon its becoming law
 281 without such approval and shall apply to all offenses committed on or after the effective date
 282 of this Act.

283

SECTION 5.

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