

Senate Bill 325

By: Senators Harbin of the 16th, Burns of the 23rd, Albers of the 56th, Gooch of the 51st, Robertson of the 29th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-2-182 of the Official Code of Georgia Annotated, relating to  
2 program weights to reflect funds for payment of salaries and benefits, maximum class size,  
3 reporting requirements, and application to specific school years, so as to authorize local  
4 school systems and public schools to employ or accept as volunteers school chaplains; to  
5 provide that school chaplains shall provide support, services, and programs for students as  
6 assigned; to authorize school chaplains to be employed or accepted as volunteers in addition  
7 to or in lieu of school counselors and to authorize school chaplains to perform duties of  
8 school counselors; to provide that school chaplains need not be certificated professional  
9 personnel; to require local boards of education to vote in public on whether to authorize  
10 school chaplains; to amend Code Section 19-15-1 of the Official Code of Georgia Annotated,  
11 relating to definitions concerning child abuse, so as to include school chaplains in the  
12 definition of "child protection professional"; to amend Code Section 49-5-41 of the Official  
13 Code of Georgia Annotated, relating to persons and agencies permitted access to records, so  
14 as to authorize school chaplains to review records of reports of child abuse; to provide for  
15 related matters; to provide for a short title; to provide for an effective date; to repeal  
16 conflicting laws; and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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18 **SECTION 1.**

19 This Act shall be known and may be cited as the "School Chaplains Act."

20 **SECTION 2.**

21 Code Section 19-15-1 of the Official Code of Georgia Annotated, relating to definitions  
22 concerning child abuse, is amended by revising paragraph (5) as follows:

23 "(5) 'Child protection professional' means any person who is employed by the state or a  
24 political subdivision of the state as a law enforcement officer, school teacher, school  
25 administrator, ~~or~~ school counselor, or school chaplain or who is employed to render  
26 services to children by the Department of Public Health, the Department of Behavioral  
27 Health and Developmental Disabilities, or the Department of Human Services or any  
28 county board of health, community service board, or county department of family and  
29 children services."

30 **SECTION 3.**

31 Code Section 20-2-182 of the Official Code of Georgia Annotated, relating to program  
32 weights to reflect funds for payment of salaries and benefits, maximum class size, reporting  
33 requirements, and application to specific school years, is amended by revising subsection (c)  
34 as follows:

35 "(c)(1) The program weights for the kindergarten, kindergarten early intervention,  
36 primary, primary grades early intervention, upper elementary, upper elementary grades  
37 early intervention, middle school, and alternative education programs and the program  
38 weights for the high school programs authorized pursuant to paragraph (4) of  
39 subsection (b) of Code Section 20-2-151, when multiplied by the base amount, shall  
40 reflect sufficient funds to pay the beginning salaries for at least one school counselor for  
41 every 450 full-time equivalent students. Beginning in Fiscal Year 2015 and thereafter,  
42 the program weights for the English for speakers of other languages program and the

43 programs for persons with disabilities shall also earn school counselor funding. Further,  
44 beginning in Fiscal Year 2016 and thereafter, the program weights for the program for  
45 intellectually gifted students and the remedial education program shall also earn school  
46 counselor funding. The duties and responsibilities for such school counselors shall be  
47 established by the state board to require a minimum of five of the six full-time equivalent  
48 program count segments of the counselor's time to be spent counseling or advising  
49 students or parents.

50 (2)(A) Notwithstanding any provision of paragraph (1) of this subsection or any other  
51 law to the contrary, a local school system or public school shall be authorized to  
52 employ or accept as a volunteer a school chaplain to provide support, services, and  
53 programs for students as assigned by the local school superintendent or the local board  
54 of education or other public school governing body. In addition to employing school  
55 counselors to perform the duties of school counselors, local school systems and public  
56 schools may employ school chaplains to perform the duties required of a school  
57 counselor under this chapter and as provided for in paragraph (5) of Code Section  
58 19-15-1 and Code Section 49-5-41. A school chaplain employed or accepted as a  
59 volunteer under this subsection is not required to be a certificated professional  
60 personnel or otherwise subject to any rule or regulation of the Professional Standards  
61 Commission.

62 (B) No later than December 31, 2025, each local board of education or other public  
63 school governing body shall vote in public on whether to adopt a policy authorizing the  
64 employment of school chaplains."

65 **SECTION 4.**

66 Code Section 49-5-41 of the Official Code of Georgia Annotated, relating to persons and  
67 agencies permitted access to records, is amended by revising paragraph (10) of subsection  
68 (c) as follows:

69 "(10) Any school principal, ~~or any~~ school guidance counselor, school social worker, or  
70 school psychologist who is certified under Chapter 2 of Title 20, or school chaplain and  
71 who is counseling a student as a part of such counseling person's school employment  
72 duties, but those records shall remain confidential and information obtained therefrom by  
73 ~~that~~ such counseling person may not be disclosed to any person, except ~~that~~ such student,  
74 not authorized under this Code section to obtain those records, and such unauthorized  
75 disclosure shall be punishable as a misdemeanor;"

76 **SECTION 5.**

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

79 **SECTION 6.**

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