

House Bill 1051

By: Representatives Berry of the 56th, Glaize of the 67th, Bell of the 75th, Holly of the 116th,
and Schofield of the 63rd

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to loitering at or disrupting schools, so as to require collaborative written agreements
3 for local school systems that assign or employ law enforcement officers in schools; to
4 prohibit law enforcement officers from engaging in school disciplinary matters unless such
5 matter involves criminal conduct or an immediate threat to the safety of a person or the
6 school; to require local boards of education for such local school systems to establish policies
7 for student complaints against law enforcement officers; to provide dates of implementation;
8 to provide for related matters; to provide a short title; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Lanier Johnson-Hunt Student Protection
13 Act."

SECTION 2.

Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to loitering at or disrupting schools, is amended by revising Code Section 20-2-1183, relating to written agreement for law enforcement officers in schools and model language, as follows:

"20-2-1183.

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

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

(1) Under what circumstances information regarding a student may or shall be disclosed to a law enforcement officer, a law enforcement agency, a judge or court personnel, or another state or local agency or officer with a legal interest in such information;

(2) Whether any law enforcement officer who is subject to such agreement is or may act as a school official with access to student education records and the personally identifiable information contained therein; and

(3) Whether the law enforcement officers who are subject to such agreement constitute a law enforcement unit, as such term is defined in the federal Family Education Rights and Privacy Act (FERPA) and its implementing regulations, 20 U.S.C. Section 1232g; and 34 C.F.R. Part 99.3; and, if so:

(A) What records shall be handled as law enforcement unit records and are not protected by FERPA; and

41 (B) What records shall be handled as education records and are protected by FERPA.
42 (c) By October 1, 2026, the collaborative written agreement required by this Code section
43 shall include that no law enforcement officer shall be requested or permitted to intervene
44 in a school disciplinary matter unless such matter involves suspected criminal conduct or
45 an immediate threat to the safety of a person or school property.
46 (d) By August 1, ~~2025~~ 2026, the Department of Education shall publish on its public
47 website model language for the terms and conditions required by this Code section to be
48 available for use by schools and law enforcement officers. Such model language shall be
49 reviewed and updated from time to time as necessary to comport with the content of the
50 guidance document promulgated by the Department of Education chief privacy officer as
51 provided for in Code Section 20-2-663.
52 (e) By October 1, 2026, each local board of education of a local school system which
53 assigns or employs law enforcement officers in schools shall adopt and publish a policy for
54 providing prompt and equitable resolution of written student complaints, including
55 complaints brought by the parent or guardian of a student, alleging a violation of the
56 collaborative written agreements required by this Code section, inappropriate or excessive
57 use of force by a law enforcement officer, or conduct specified in subsection (a) of Code
58 Section 35-8-7.1 by a law enforcement officer. Such policies shall include procedures for
59 receiving, investigating, and conducting hearings and appeals for such complaints which
60 are substantially similar to the local school system's policies for student complaints against
61 a teacher, administrator, or other school employee. If a student complaint against a law
62 enforcement officer is substantiated, the local school system shall report the incident giving
63 rise to the complaint to the Georgia Peace Officer Standards and Training Council which
64 shall conduct an investigation in accordance with the provisions of Chapter 8 of Title 35.
65 Nothing in this subsection shall be construed to preempt any other law or to deny to any
66 individual any rights or remedies which are provided by or under any other law. This
67 subsection shall apply to all complaints arising on or after October 1, 2026."

68

SECTION 3.

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