

The House Committee on Rules offers the following substitute to HB 268:

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 behavioral 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 require positive behavioral interventions and
8 supports and response to intervention programs and initiatives for certain low-performing
9 elementary and secondary and middle schools; to provide for the transfer of student records
10 and other information among schools, law enforcement agencies, and other agencies with
11 legal interests in students; to repeal references to the Department of Behavioral Health and
12 Developmental Disabilities as legal custodian of school age children and to make conforming
13 changes; to require memoranda of understanding between certain state agencies and local
14 units of administration to include provisions relevant to the disclosure of student information;
15 to provide for the release of student information from certain state agencies to local units of
16 administration; to authorize RESAs to participate in dispute resolution procedures; to provide
17 for the designation of RESA student affairs officers; to provide for the Department of
18 Education's chief privacy officer to promulgate a guidance document relevant to sharing

19 student records and other information; to provide for the release of student education records
20 by local boards of education and local education agencies; to provide for certain student
21 education records to be deemed critical records; to provide for the transfer of student
22 education records, including critical records, to receiving schools; to provide for required
23 disclosures; to provide for provisional enrollment at receiving schools; to provide for the
24 transfer of students seeking enrollment in any grade higher than fifth grade; to provide for
25 case management consultations; to provide for policies and implementation; to provide for
26 school administrators to disclose certain information regarding students with the students'
27 assigned classroom teachers; to provide for such information to remain confidential; to
28 provide for local boards of education to petition courts to require parents to authorize the
29 release of a transferring student's education records; to provide for a penalty; to provide for
30 mandatory assessments when certain students withdraw from or stop attending school; to
31 update the "Parents' Bill of Rights"; to provide for access to and transferring student
32 education records; to require written agreements for law enforcement officers in school to
33 include specific terms and conditions relevant to the handling and disclosure of student
34 information; to require the Department of Education to publish model terms and conditions;
35 to revise provisions regarding disrupting and interfering with certain public school
36 operations; to provide for a system of discipline; to provide for investigations; to revise
37 felony provisions regarding individuals attending the same school; to provide for school
38 safety plans to address behavioral health needs of students; to create an Office of Safe
39 Schools within the Georgia Emergency Management and Homeland Security Agency; to
40 establish school safety best practices for local school systems; to ensure each local school
41 system has a threat management team; to provide technical assistance for local school
42 systems to develop policies and procedures for their threat management teams; to develop
43 a state-wide behavioral threat management operational process; to provide state-wide
44 behavioral threat assessment indicators; to procure a state-wide behavioral threat assessment
45 management system, known as the School and Student Safety Database or S3 Database, to

46 collect and integrate data to evaluate the behavior of students who may pose a threat to the
47 school, school staff, or students, to provide and coordinate state resources to assist local
48 school systems to make timely and methodical school based threat assessment and
49 management decisions, and to help local districts coordinate intervention and services for
50 such students; to evaluate each local school system's use of the state-wide behavioral threat
51 management operational process; to adopt a school safety compliance inspection report; to
52 ensure the S3 Database provides local school systems and their threat management teams
53 with all available data pertaining to their jurisdiction; to provide for a process for the closure
54 of a student's case from the S3 database; to provide all of the aforementioned services and
55 assistance to private schools upon request; to provide for de-identified and disaggregated
56 reports of S3 records, student discipline records, and student attendance; to provide for a
57 short title; to provide for definitions; to amend Code Section 16-11-37 of the Official Code
58 of Georgia Annotated, relating to terroristic threats and acts and penalties, so as to provide
59 for the offense of threatening the death of or serious injury to individuals who are or likely
60 to be at school; to provide for parents and legal guardians to be charged as a person
61 concerned in the commission of such offense; to amend Article 4 of Chapter 18 of Title 50
62 of the Official Code of Georgia Annotated, relating to inspection of public records, so as to
63 provide for an exemption; to provide for related matters; to provide for an effective date; to
64 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 of
70 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, ~~or the Department of~~
80 ~~Behavioral Health and Developmental Disabilities~~ including, but not limited to, the
81 Division of Family and Children Services; 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 except where consent of a parent or legal guardian is required in order to authorize the
154 release of any of such records, in which event the Department of Juvenile Justice, the
155 Department of Behavioral Health and Developmental Disabilities, or the Department of
156 Human Services shall obtain such consent from the parent or guardian prior to such
157 release. Such records shall include, but shall not be limited to, any record that such
158 student:

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

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

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

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

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

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

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

172 or

173 (iv) Report of the commission of a prohibited act made pursuant to Code Section
174 20-2-1184.

175 (5) In the event that the Department of Juvenile Justice, the Department of Human
176 Services, or the Division of Family and Children Services contends that any record
177 provided for in paragraph (4) of this subsection cannot be released without consent of a
178 parent or legal guardian, such agency shall:

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

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

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

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

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

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

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

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

206 (ii) To the extent that such efforts to resolve the dispute are not successful, the RESA
207 student affairs officer shall provide a written notice of noncompliance to any party to
208 such dispute which the RESA student affairs officer reasonably contends is
209 noncompliant with the requirements of this paragraph. Such written notice of
210 noncompliance shall include a recommended corrective action to resolve
211 noncompliance. The RESA student affairs officer shall report such noncompliance
212 to the director of the RESA.

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

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

220 ~~(5)~~(7) Any local unit of administration which serves a child pursuant to subparagraph (A)
221 of paragraph (1) of this subsection shall receive in the form of annual grants in state
222 funding for that child the difference between the actual state funds received for that child
223 pursuant to Code Section 20-2-161 and the reasonable and necessary expenses incurred
224 in educating that child, calculated pursuant to regulations adopted by the State Board of
225 Education. Each local board of education shall be held harmless by the state from
226 expending local funds for educating students pursuant to this Code section; provided,
227 however, that this shall only apply to students who are unable to leave the facility in
228 which they have been placed.

229 ~~(6)~~(8) Enrollment of an eligible child pursuant to this Code section shall be effectuated
230 in accordance with rules and regulations adopted by the State Board of Education.

231 ~~(7)~~(9) For purposes of the accountability program provided for in Part 3 of Article 2 of
232 Chapter 14 of this title, all facilities serving children described in subparagraph (A) of

233 paragraph (1) of this subsection shall be, consistent with department rules and
 234 regulations, treated as a single local education agency; provided, however, that this
 235 paragraph shall not be construed to alleviate any responsibilities of the local unit of
 236 administration of the school district in which any such children are physically present for
 237 the provision of education for any such children.

238 ~~(8)~~(10) The Department of Education, the State Charter Schools Commission, the
 239 Department of Human Services, the Division of Family and Children Services, the
 240 Department of Juvenile Justice, ~~the Department of Behavioral Health and Developmental~~
 241 ~~Disabilities~~; and the local units of administration where Department of Education, State
 242 Charter Schools Commission, Department of Juvenile Justice, ~~Department of Behavioral~~
 243 ~~Health and Developmental Disabilities~~, or Department of Human Services, or Division
 244 of Family and Children Services placements, facilities, or contract facilities are located
 245 shall jointly develop procedures binding on all agencies implementing the provisions of
 246 this Code section applicable to children and youth in the physical or legal custody of the
 247 Department of Juvenile Justice, under the care or physical or legal custody of the
 248 Department of Human Services or the Division of Family and Children Services, ~~or under~~
 249 ~~the physical custody of the Department of Behavioral Health and Developmental~~
 250 ~~Disabilities."~~

251 SECTION 2.

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

255 "20-2-192.

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

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

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

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

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

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

271 (d) By July 1, 2025, the State Board of Education shall establish regulations as to the
272 manner in which local school systems shall request and receive such grant funds. Such
273 regulations shall condition the receipt of such grant funds on the local school system's
274 compliance with all applicable provisions of Code Sections 20-2-1185 and 20-2-1185.1,
275 relating to school safety plans, including, but not limited to, behavioral threat assessment
276 management plans.

277 (e)(1) By July 1, 2025, the Department of Behavioral Health and Developmental
278 Disabilities, in consultation with the Department of Education, shall establish the
279 essential duties and minimum qualifications for qualified behavioral health coordinators
280 hired by local school systems. Such minimum qualifications shall be established so as
281 to maximize opportunities for local school systems to hire qualified behavioral health
282 coordinators capable of performing such essential duties.

283 (2) Such qualified behavioral health coordinators shall be primarily responsible for:

- 284 (A) Coordinating the efforts of the local school system to identify and facilitate
285 appropriate interventions for students with or at risk for mental health concerns,
286 including, but not limited to, telehealth services;
- 287 (B) Coordinating, documenting, evaluating, and reporting the outcomes of Tier 1 and
288 Tier 2 behavioral health training programs and materials of the local school system,
289 including, but not limited to, such training programs and materials as provided for in
290 Code Section 20-2-779.1; and
- 291 (C) Attending information and training meetings relating to school safety and student
292 behavioral health provided or facilitated by the Georgia Emergency Management and
293 Homeland Security Agency or the Department of Behavioral Health and
294 Developmental Disabilities.
- 295 (f) This Code section shall not apply to the Department of Juvenile Justice or its school
296 system.
- 297 (g) Nothing in the Code section shall be construed to prohibit local school systems from
298 hiring or contracting with behavioral health coordinators using other funds available for
299 such purpose."

300 SECTION 3.

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

303 "(a)(1) The State Board of Education shall establish a state-wide network of regional
304 educational service agencies for the purposes of: providing shared services designed to
305 improve the effectiveness of educational programs and services to local school systems
306 and state charter schools; providing instructional programs directly to selected public
307 school students in the state; provide services as provided for in Code Sections 20-2-133,
308 20-2-670, and 20-2-785; and providing Georgia Learning Resources System services.

333 Juvenile Justice, the Department of Human Services, and the Division of Family and
334 Children Services.

335 (6.2) 'Local board of education' means the governing body of each local education
336 agency as such terms are defined in Code Section 20-2-167.1. Such term shall include
337 the Department of Juvenile Justice school system."

338 "(8.1) 'Parent' means an individual other than a legal custodian who has legal authority
339 to act on behalf of a student as a natural or adoptive parent or a legal guardian."

340 SECTION 6.

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

343 "(c)(1) In consultation with the Attorney General's office, the chief privacy officer shall
344 promulgate for all regional education service agencies, all local education agencies, all
345 elementary and secondary schools in this state, the Department of Juvenile Justice (DJJ)
346 school system, the Department of Human Services (DHS), the Division of Family and
347 Children Services (DFCS), and the Department of Defense Education Activity (DoDEA)
348 a guidance document that shall address, but shall not be limited to, the following topics:

349 (A) The current state and federal laws applicable to local education agencies and
350 elementary and secondary schools in this state, DJJ, DHS, DFCS, and DoDEA intended
351 to protect the privacy of student education records, student health records, student data,
352 and the personally identifiable information of students and their families;

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

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

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

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

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

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

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

378 SECTION 7.

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

381 "(c)(1) Except as provided in paragraph (2) of this subsection, each local board of
382 education shall immediately provide an electronic copy of a student's complete education
383 record to any parent, legal custodian, or another person or entity legally authorized to

384 receive such records upon request and under no circumstances later than 5:00 P.M. on the
 385 third business day following the date of such request.

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

396 **SECTION 8.**

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

400 "20-2-670.

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

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

405 (A) Information from all assessments of the student by the school or local school
 406 system threat management team;

407 (B) Academic transcript;

408 (C) Attendance records;

409 (D) Student discipline records, including, but not limited to, all records of any:

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

437 (4) 'Legal custodian' means an entity or individual other than a parent with legal
438 authority to act on behalf of a student. Such term shall include the Department of
439 Juvenile Justice, the Department of Human Services, and the Division of Family and
440 Children Services.

441 (5) 'Local education agency' shall have the same meaning as provided in Code Section
442 20-2-167.1. Such term shall include the Department of Juvenile Justice school system.

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

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

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

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

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

455 (11) 'RESA' means a regional education service agency as provided for in Code Section
456 20-2-270.

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

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

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

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

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

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

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

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

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

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

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

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

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

486 or

487 (iv) Report of the commission of a prohibited act made pursuant to Code Section

488 20-2-1184; and

- 489 (2) Either:
- 490 (A) Present a certified copy of such student's critical records from each sending school
491 he or she attended during the previous 24 months; or
- 492 (B) Receive written confirmation from such receiving school that it as received such
493 student's critical records.
- 494 (c)(1) A student may be provisionally enrolled in a receiving school for not more than
495 ten school days on a conditional basis; provided, however, that such provisional
496 enrollment shall not commence until the next school day after such student's parent or
497 legal custodian executes a document:
- 498 (A) Disclosing the information required in paragraph (1) of subsection (b) of this Code
499 section; and
- 500 (B) Providing the name and address of each sending school such student attended
501 during the previous 24 months and authorizing the immediate release of such student's
502 critical records to the receiving school.
- 503 (2) If the receiving school does not receive such student's critical records from each
504 sending school such student attended during the previous 24 months, the receiving school
505 shall be authorized to temporarily assign such student to remote learning until such
506 critical records are received or the case management consultation provided for in
507 subsection (i) of this Code section is completed.
- 508 (3) If a student provisionally enrolled in a receiving school is found to be ineligible for
509 enrollment pursuant to the provisions of Code Section 20-2-751.2, or is subsequently
510 found to be so ineligible, he or she shall be dismissed from enrollment in such receiving
511 school until such time as he or she becomes so eligible.
- 512 (d) Any document provided by a receiving school to a student or such student's parent or
513 legal custodian to request permanent enrollment or provisional enrollment in such receiving
514 school or to authorize the release of education records to such receiving school shall
515 include:

- 516 (1) A list of class A designated felony acts or class B designated felony acts;
517 (2) A list of the prohibited acts identified in Code Section 20-2-1184; and
518 (3) A description of each of the following:
519 (A) Notice of a disciplinary hearing pursuant to Code Section 20-2-754;
520 (B) Notice of a report of criminal action made pursuant to Code Section 20-2-756;
521 (C) Notice of chronic disciplinary problem made pursuant to Code Section 20-2-765;
522 (D) Disciplinary and behavioral correction plan pursuant to Code Section 20-2-766;
523 and
524 (E) Report of the commission of a prohibited act made pursuant to Code Section
525 20-2-1184.
- 526 (e) Each time a transferring student's education records, including, but not limited to
527 critical records, are transferred to a receiving school, such student's parent or legal
528 custodian shall be notified in writing by the receiving school of the transfer of such records
529 and shall, upon written request made within five days of the date of such notice, be entitled
530 to receive a copy of such records from the receiving school. Within five days of the receipt
531 of a copy of such records, such student's parent or legal custodian may make a written
532 request for and shall be entitled to a meeting with the principal of the sending school or of
533 the receiving school or his or her designee for the purpose of correcting the content of such
534 records as provided in Code Section 20-2-667. The parties may mutually agree for such
535 meeting to occur at a date and time outside of such five-day period.
- 536 (f)(1) Except as provided in paragraph (2) of this subsection, each sending school in this
537 state shall immediately release a student's complete education record to any parent, legal
538 custodian, receiving school, or another person or entity legally authorized to receive such
539 records upon request by such requestor and under no circumstances later than 5:00 P.M.
540 on the third business day following the date of such request.
- 541 (2) In the event that any portion of such student's education record is not maintained in
542 electronic format, the sending school shall transfer all of the student's education records

543 available in electronic format in compliance with paragraph (1) of this subsection and
544 shall, no later than 5:00 P.M. on the third business day following the date of such request,
545 notify the requestor when copies of the remainder of such student's education records will
546 be ready for retrieval.

547 (g)(1) In the event that:

548 (A) A sending school contends that releasing, in whole or in part, a student's education
549 records as required by this Code section would be unlawful or unduly burdensome; or

550 (B) A requestor contends that a student's education records, in whole or in part, have
551 been unlawfully or unduly withheld from release by a sending school,

552 the requestor shall promptly provide a written notice of dispute to the RESA student
553 affairs officer of the RESA in which the sending school is located.

554 (2)(A) Upon receipt of a notice as provided in paragraph (1) of this subsection, the
555 RESA student affairs officer shall be authorized to work in coordination with any
556 sending school, any receiving school, any other requestor, and the parent or legal
557 custodian of the student whose education records are the subject of such notice to
558 resolve any dispute by providing technical assistance and guidance as to the respective
559 rights and responsibilities of each of the parties to the dispute.

560 (B) To the extent that such efforts to resolve the dispute are not successful, the RESA
561 student affairs officer shall provide a written notice of noncompliance to any party to
562 such dispute which the RESA student affairs officer reasonably contends is
563 noncompliant with the requirements of this Code section report. Such written notice
564 of noncompliance shall include a recommended corrective action to resolve
565 noncompliance. The RESA student affairs officer shall report such noncompliance to
566 the director of the RESA.

567 (C) Upon being notified of a noncompliance as provided for in subparagraph (B) of
568 this paragraph, the RESA director shall be authorized to attempt to resolve the dispute

569 and to report noncompliance to the Office of the Attorney General and the Department
570 of Education's chief privacy officer.

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

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

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

586 (i) Each case management consultation shall be conducted by a school social worker,
587 school counselor, or a designated school administrator of the receiving school and shall
588 involve the transferring student and such student's parent or legal custodian. The purposes
589 of the case management consultation shall include, but shall not be limited to:

590 (1) Determining whether any services are necessary for such student, including, but not
591 limited to, referrals for special education or behavioral health services; and

592 (2) Facilitating the continuation of services such student was receiving at his or her
593 previous school or schools, if any, including services recommended by any behavioral
594 threat management team.

595 (j) The State Board of Education shall adopt policies and procedures for implementing the
596 provisions of this Code section.

597 (k) The Department of Education shall collaborate with the Department of Behavioral
598 Health and Developmental Disabilities and provide technical assistance to schools and
599 local school systems to support implementation of the provisions of this Code section.

600 (l) In lieu of his or her parent, a transferring student who is not in the custody of the
601 Department of Juvenile Justice or the Division of Family and Children Services of the
602 Department of Human Services and who is 18 years of age or older or who has been
603 emancipated by operation of law or by court order pursuant to Code Section 15-11-727 or
604 as otherwise provided by law shall be authorized to comply on his or her own behalf with
605 the requirements of this Code section otherwise applicable to such student's parent or legal
606 custodian."

607 **SECTION 9.**

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

610 "20-2-671.

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

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

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

617 (3) Has a current disciplinary and behavioral correction plan pursuant to Code Section
618 20-2-766; or

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

621 such administrator shall so inform all teachers to whom the student is assigned that they
622 may review the information in the student's file provided pursuant to ~~subsection (b) of~~
623 Code Section 20-2-670 received from other schools or from the juvenile courts.
624 (b) Such information shall be kept confidential."

625 SECTION 10.

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

628 "20-2-700.

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

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

632 (2) 'Law enforcement officer' means any duly constituted agent or officer of the State of
633 Georgia or of any county, municipality, political subdivision, or local school system
634 thereof who, as a full-time or part-time employee, is vested either expressly by law or by
635 virtue of public employment or service with authority to enforce the criminal or traffic
636 laws of this state with the power of arrest and whose duties include the preservation of
637 public order, the protection of life and property, or the prevention, detection, or
638 investigation of crime. Such term shall include, but shall not be limited to, sheriffs and
639 deputy sheriffs; any member of the Georgia State Patrol or Georgia Bureau of
640 Investigation; campus policemen and school security personnel provided for in Chapter 8
641 of this title; any person employed by the Department of Natural Resources as a law
642 enforcement officer; any arson investigator of the state fire marshal's office; employees
643 designated by the commissioner of community supervision who have the duty to
644 supervise children adjudicated for a Class A designated felony act or Class B designated
645 felony act after release from restrictive custody, as such terms are defined in Code
646 Section 15-11-2; and employees designated by the commissioner of juvenile justice

647 pursuant to paragraph (2) of subsection (i) of Code Section 49-4A-8 who have the duty
648 to investigate and apprehend delinquent children, or the supervision of delinquent
649 children under intensive supervision in the community, and any child with a pending
650 juvenile court case alleging the child to be a child in need of services who has escaped
651 from a facility under the jurisdiction of the Department of Juvenile Justice or who has
652 broken the conditions of supervision.

653 (3) 'Official encounter' means an interaction of a law enforcement officer with a school
654 age youth in such law enforcement officer's official capacity for the purpose of enforcing
655 the criminal laws of this state or preventing, detecting, or investigating a crime, provided
656 that such interaction is directly related to a credible report or other credible information
657 that such school age youth has threatened the death of, or serious injury to, one or more
658 individuals who are or will likely be at or within a school.

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

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

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

671 (c)(1) Except as provided in paragraph (2) of this subsection, within five days of an
672 official encounter with a school age youth in this state, the employer of each law
673 enforcement officer present for such official encounter shall provide a written report of

674 such official encounter to a school official of the public or private school in which such
675 school age youth is currently enrolled or would be enrolled by virtue of his or her primary
676 residence and to his or her parent or guardian.

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

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

683 (B) With respect to a school age youth whose presence during or participation in such
684 official encounter is due exclusively to such school age youth being a witness or
685 potential witness in a criminal investigation; provided, however, that the exception
686 provided for in this subparagraph shall not apply if he or she is also a subject of such
687 criminal investigation or is a suspect or person of interest in such criminal investigation.

688 (d) This Code section shall not apply to school age youth in the physical custody of the
689 Department of Juvenile Justice within a secure facility; provided, however, that this
690 subsection shall not apply to school age youth who are in the physical or legal custody of
691 the Department of Juvenile Justice in a nonsecure residential placement or other nonsecure
692 intensive supervision program."

693 **SECTION 11.**

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

696 "20-2-720.

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

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

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

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

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

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

714 (c) A parent or legal custodian shall be entitled to inspect and review only information
715 relating to his or her own child or ward and if any material or document in a child's or
716 ward's record includes information on another student, such information regarding any
717 other student shall not be made available for inspection or review except to the parents or
718 legal custodian of that student.

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

725 **SECTION 12.**

726 Said chapter is further amended by revising Code Section 20-2-741, relating to positive
727 behavioral interventions and supports and response to intervention, as follows:

728 "20-2-741.

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

730 (1) 'High needs school' means a public school which has received a school climate rating
731 of '1-star' or '2-star' pursuant to Code Section 20-14-33.

732 (2) 'Positive behavioral interventions and supports' or 'PBIS' means an evidence based
733 data-driven framework to reduce disciplinary incidents, increase a school's sense of
734 safety, and support improved academic outcomes through a ~~multitiered~~ multi-tiered
735 approach, using disciplinary data and principles of behavior analysis to develop
736 school-wide, targeted, and individualized interventions and supports.

737 (3) 'Response to intervention' or 'RTI' means a framework of identifying and addressing
738 the academic and behavioral needs of students through a tiered system.

739 (b)(1) Local boards of education are encouraged to implement PBIS and RTI programs
740 and initiatives in their schools, and particularly in high needs schools.

741 (2) Local boards of education shall implement PBIS and RTI programs and initiatives
742 in each elementary and middle school that is a high needs school. Such implementation
743 shall include, but shall not be limited to:

744 (A) PBIS Tier 1 supports for 100 percent of students and school personnel;

745 (B) Specific PBIS Tier 2 supports and interventions for students who are at risk for
746 developing more serious unwanted behaviors, such as small group resilience and
747 behavioral health skills lessons approved by the Department of Behavioral Health and
748 Developmental Disabilities; and

749 (C) Each school year, no less than 95 percent of school personnel receive two hours
750 of student behavioral health awareness training approved by the Department of
751 Behavioral Health and Developmental Disabilities.

752 (c) The State Board of Education is authorized, subject to appropriations by the General
753 Assembly, to provide funds to local school systems to support PBIS and RTI programs,
754 initiatives, and personnel.

755 (d) The State Board of Education is authorized to establish rules and regulations for PBIS
756 and RTI programs and initiatives which receive funding pursuant to this Code section."

757 SECTION 13.

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

760 "20-2-757.

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

764 (b) All electronic or other written records of all hearings conducted under this subpart; all
765 statements of charges; all notices of hearings; and all written decisions rendered by a
766 hearing officer, tribunal, the local board of education, or the State Board of Education shall
767 not be subject to public inspection or other disclosure under Article 4 of Chapter 18 of Title
768 50 or other public disclosure laws; provided, however, ~~the board of education~~ that the state
769 board shall prepare a written summary of any proceeding conducted under this subpart,
770 which summary shall include a description of the incident and the disposition thereof but
771 shall not contain the names of any party to the incident. The summary shall be a public
772 record.

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

776

SECTION 14.

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

779 "20-2-766.1.

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

782 (b) If the court finds that the parent or guardian has willfully and unreasonably failed to
783 attend a conference requested by a principal pursuant to Code Section 20-2-765 or
784 20-2-766, the court may order the parent or guardian to attend such a conference, order the
785 parent or guardian to participate in such programs or such treatment as the court deems
786 appropriate to improve the student's behavior, or both.

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

791 (d) After notice and opportunity for hearing, the court may impose a fine, not to exceed
792 \$500.00, on a parent or guardian who willfully disobeys an order of the court entered under
793 this Code section. The court may use its contempt and other powers specified in Code
794 Section 15-11-31 to enforce any order entered under this Code section."

795

SECTION 15.

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

798 "20-2-779.1.

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

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

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

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

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

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

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

812 (1) All all certificated public school personnel receive annual training in youth violence
 813 and suicide awareness and prevention. This Such training shall be provided within the
 814 framework of existing in-service training programs offered or facilitated by the
 815 Department of Education, the Department of Behavioral Health and Developmental
 816 Disabilities, or as part of required professional development offered by a local school
 817 system or public school; and

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

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

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

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

828 ~~(2)(c)(1)~~ By January 1, 2026, the The Department of Education shall, in consultation
 829 with the Department of Behavioral Health and Developmental Disabilities, the Suicide
 830 Prevention Program established pursuant to Code Section 37-1-27, student violence and
 831 suicide prevention experts, other youth mental health experts, and elementary and
 832 secondary school counselors, social workers, and teachers, develop a list of approved
 833 evidence based training programs and materials to fulfill the requirements of this
 834 ~~subsection~~ Code section which may include training programs and materials currently
 835 being used by a local school system or public school if such training programs and
 836 materials meet any the criteria established by the department.

837 ~~(3)(2)~~ Approved training programs and materials shall:

838 (A) Shall include training information on how to identify appropriate mental health
 839 interventions and services, both within the school and also within the larger community,
 840 and when and how to ~~refer~~ facilitate such interventions and services for youth and their
 841 families ~~to those services; and~~

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

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

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

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

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

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

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

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

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

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

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

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

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

886 (1) Be open to all members of the student body;

887 (2) Engage in awareness activities related to youth suicide prevention, youth violence
888 prevention, and social inclusion;

889 (3) Foster opportunities for student leadership development; and

890 (4) Have at least one administrator, teacher, or other school personnel serve as a faculty
891 advisor.

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

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

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

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

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

904 (D) Support a coordinated response to an identified crisis by schools, local emergency
905 9-1-1 public safety answering points, and local law enforcement agencies when
906 response by schools and law enforcement is to be reasonably expected;

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

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

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

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

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

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

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

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

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

SECTION 16.

934
 935 Said chapter is further amended by revising Code Section 20-2-785, relating to referral and
 936 assessment to determine whether withdrawal was to limit education, as follows:

937 "20-2-785.

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

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

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

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

946 (4) Such student is 16 years of age or older and stops attending such school without
 947 completing the conference required under subsection (e) of Code Section 20-2-690.1 and
 948 that ~~child~~ stops attending a public school for a period of 45 days;

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

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

955 (1) Refer the matter to the Division of Family and Children Services to conduct an
 956 assessment. ~~The purpose of such referral and assessment shall be limited to~~ for the
 957 purpose of determining whether such withdrawal was to avoid educating ~~the child.~~
 958 Presentation such student; provided, however, that completion of such conference or
 959 presentation of a copy of such filed declaration shall satisfy the ~~assessment~~ requirements

960 of this paragraph, and the Division shall immediately terminate ~~the~~ such assessment
961 under this Code section.; and

962 (2) Refer the matter to the RESA student affairs officer of the regional educational
963 service agency in which such student resides for the purpose of determining whether such
964 student has enrolled in a home study program or another school and, if such student has
965 enrolled in another school, to determine whether the receiving school as defined in Code
966 Section 2-20-670 has received such student's education records from the student's
967 previous schools; provided, however, that, upon receiving notice that such student has
968 enrolled or intends to enroll in a home study program or another school, the referring
969 school shall immediately notify the RESA student affairs officer of the regional
970 educational service agency in which such student resides of such intent or enrollment and
971 if such student has enrolled or intends to enroll in another school, confirm the date by
972 which such student's education records as defined in Code Section 2-20-670 will be
973 released to the receiving school.

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

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

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

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

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

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

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

997

SECTION 17.

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

1000 "(f) Each governing body shall, in consultation with parents, teachers, and administrators,
 1001 develop and adopt a policy or regulation to promote parental involvement in the public
 1002 schools. Such policy or regulation shall be updated each year by June 1 and posted on each
 1003 governing body's public website, and a copy of such policy or regulation shall be available
 1004 for review on site upon request by a parent. Such policy or regulation shall include:

1005 (1) Procedures that meet the requirements of Code Sections 20-2-667 and 20-2-670 for
 1006 a parent to review records relating to his or her minor child and to request the transfer of
 1007 such records to another school or a person or entity authorized to receive such records;

1008 (2)(A) Procedures for a parent to learn about his or her minor child's courses of study,
 1009 including, but not limited to, parental access to instructional materials intended for use
 1010 in the classroom. Instructional materials intended for use in his or her minor child's

1011 classroom shall be made available for parental review during the review period. If such
 1012 instructional materials are not made available by a school or local school system for
 1013 review online, then they shall be made available for review on site upon a parent's
 1014 request made during the review period.

1015 (B) Procedures for a parent to object to instructional materials intended for use in his
 1016 or her minor child's classroom or recommended by his or her minor child's teacher;

1017 (3) Procedures for a parent to withdraw his or her minor child from the school's
 1018 prescribed course of study in sex education if the parent provides a written objection to
 1019 his or her minor child's participation. Such procedures ~~must~~ shall provide for a parent to
 1020 be notified in advance of such course content so that he or she may withdraw his or her
 1021 minor child from the course; ~~and~~

1022 (4) Procedures for a parent to provide written notice that photographs or video or voice
 1023 recordings of his or her child are not permitted, subject to applicable public safety and
 1024 security exceptions; and

1025 (5) Procedures that meet the requirements of Code Sections 20-2-667 and 20-2-670 for
 1026 the timely production of a student's education records by such student's current or
 1027 previous school to another school in which such student has enrolled, intends to enroll,
 1028 or is considering enrollment."

1029 **SECTION 18.**

1030 Said chapter is further amended in Article 27, relating to loitering at or disrupting schools,
 1031 by revising subsection (a) and paragraph (2) of subsection (b) of Code Section 20-2-1181,
 1032 relating to disrupting operation of public school, school bus, or school bus stop, penalty, and
 1033 progressive discipline, as follows:

1034 "(a) It shall be unlawful for any person to knowingly, intentionally, or recklessly disrupt
 1035 or interfere with the operation of any public school, public school bus, or public school bus
 1036 stop as designated by local boards of education. For purposes of this Code section, an

1037 individual who knowingly, intentionally, or recklessly threatened, whether verbally, in
1038 writing, or otherwise, the death of or serious injury to a group of individuals who are, or
1039 will likely be, at or within a public school, public school bus, or public school bus stop,
1040 shall be considered to have disrupted or interfered with the operation of such public school,
1041 public school bus, or public school bus stop. Except as provided in subsection (b) of this
1042 Code section, a person convicted of violating this Code section shall be guilty of a
1043 misdemeanor of a high and aggravated nature."

1044 "(2) A local board of education shall develop a system of progressive discipline that may
1045 be imposed on a child accused of violating this Code section before initiating a
1046 complaint. Such system of progressive discipline shall include a requirement that when
1047 there is a credible accusation that an individual threatened, whether verbally, in writing,
1048 or otherwise, the death of or serious injury to a group of individuals, pursuant to
1049 subsection (a) of this Code section, who are, or will likely be, at or within a public school
1050 that such individual attends, or has attended, the school shall be authorized to temporarily
1051 assign such individual to remote learning and provide counseling to such individual and
1052 shall initiate an investigation into such violation. Upon completion of such investigation
1053 which results in substantive findings related to such violation, the school may elect to
1054 reinstate the individual or impose relevant discipline."

1055 **SECTION 19.**

1056 Said chapter is further amended in said article by revising Code Section 20-2-1183, relating
1057 to written agreement for law enforcement officers in schools, as follows:

1058 "20-2-1183.

1059 (a) When a local school system assigns or employs law enforcement officers in schools,
1060 the local board of education shall have a collaborative written agreement with law
1061 enforcement officials to establish the role of law enforcement and school employees in

1062 school disciplinary matters and ensure coordination and cooperation among officials,
1063 agencies, and programs involved in school discipline and public protection.

1064 (b) By October 1, 2025, the collaborative written agreement required by this Code section
1065 shall include specific terms and conditions for the handling and disclosure of student
1066 education records, student data, and student personally identifiable data, as such terms are
1067 defined in Code Section 20-2-662. Such terms and conditions shall include, but shall not
1068 be limited to:

1069 (1) Under what circumstances information regarding a student may or shall be disclosed
1070 to a law enforcement officer, a law enforcement agency, a judge or court personnel, or
1071 another state or local agency or officer with a legal interest in such information;

1072 (2) Whether any law enforcement officer who is subject to such agreement is or may act
1073 as a school official with access to student education records and the personally
1074 identifiable information contained therein; and

1075 (3) Whether the law enforcement officers who are subject to such agreement constitute
1076 a law enforcement unit, as such term is defined in the federal Family Education Rights
1077 and Privacy Act (FERPA) and its implementing regulations, 20 U.S.C. Section 1232g;
1078 and 34 C.F.R. Part 99.3; and, if so:

1079 (A) What records shall be handled as law enforcement unit records and are not
1080 protected by FERPA; and

1081 (B) What records shall be handled as education records and are protected by FERPA.

1082 (c) By August 1, 2025, the Department of Education shall publish on its public website
1083 model language for the terms and conditions required by this Code section to be available
1084 for use by schools and law enforcement officers. Such model language shall be reviewed
1085 and updated from time to time as necessary to comport with the content of the guidance
1086 document promulgated by the Department of Education chief privacy officer as provided
1087 for in Code Section 20-2-663."

1088

SECTION 20.

1089 Said chapter is further amended in said article by revising subsections (a) and (c) of Code
1090 Section 20-2-1185, relating to school safety plans and drills, as follows:

1091 "(a) Every public school shall prepare a school safety plan to help curb the growing
1092 incidence of violence in schools, to respond effectively to such incidents, to address the
1093 behavioral health needs of students, and to provide a safe learning environment for
1094 Georgia's children, teachers, and other school personnel. Such plan shall also address
1095 preparedness for natural disasters, hazardous materials or radiological accidents, acts of
1096 violence, and acts of terrorism. School safety plans of public schools shall be prepared
1097 with input from students enrolled in that school, parents or legal guardians of such students,
1098 teachers in that school, community leaders, other school employees and school district
1099 employees, and local law enforcement, juvenile court, fire service, public safety, and
1100 emergency management agencies. As part of such plans, public schools shall provide for
1101 the coordination with local law enforcement agencies and the local juvenile court system.

1102 School safety plans shall include, at a minimum, the following strategy areas:

1103 (1) Training school administrators, teachers, and support staff, including, but not limited
1104 to, school resource officers, security officers, secretaries, custodians, and bus drivers, on
1105 school violence prevention, school security, school threat assessment, mental health
1106 awareness, and school emergency planning best practices;

1107 (2) Evaluating and refining school security measures;

1108 (3) Updating and exercising school emergency preparedness plans;

1109 (4) Strengthening partnerships with public safety officials; ~~and~~

1110 (5) Creating enhanced crisis communications plans and social media strategies;

1111 (6) Addressing behavioral health needs of students and staff utilizing guidance from the
1112 Department of Behavioral Health and Developmental Disabilities; and

1113 (7) Developing a behavioral threat assessment and management process and plan
 1114 utilizing guidance from the Georgia Emergency Management and Homeland Security
 1115 Agency.

1116 School safety plans of private schools may be prepared with input from students enrolled
 1117 in that school, parents or legal guardians of such students, teachers in that school, other
 1118 school employees, and local law enforcement, fire service, public safety, and emergency
 1119 management agencies. Such plans shall be reviewed and, if necessary, updated annually.
 1120 Such plans of public schools shall be submitted to the local emergency management
 1121 agency, the local law enforcement agency, ~~and~~ the Georgia Emergency Management and
 1122 Homeland Security Agency, ~~and~~ the Department of Behavioral Health and Developmental
 1123 Disabilities, as provided for in Code Section 20-2-1185.1, for approval."

1124 "(c) School safety plans prepared by public schools shall address or include:

1125 (1) Security ~~security~~ issues in school safety zones as defined in Code Section
 1126 ~~16-11-127.1.—School safety plans should also address security;~~

1127 (2) Security issues involving the transportation of ~~pupils~~ students to and from school and
 1128 school functions when such transportation is furnished by the school or school system
 1129 and school functions held during noninstructional hours;

1130 (3) Specific plans to restrict ingress to or egress from all buildings and other facilities
 1131 located on the school property; and

1132 (4) Specific plans for whether and when each of the following will be locked or actively
 1133 supervised by school personnel, or both:

1134 (A) Exterior doors and other access points of all buildings and other facilities located
 1135 on the school property; and

1136 (B) Doors to all classrooms and other instructional spaces on the school property."

1137

SECTION 21.

1138 Said chapter is further amended in said article by adding a new Code section to read as
1139 follows:

1140 "20-2-1185.1.

1141 (a) No later than January 1, 2027, each public school safety plan required by Code Section
1142 20-2-1185 shall include provisions that address the behavioral health needs of students and
1143 a behavioral threat assessment management plan for providing a structured,
1144 multidisciplinary process to identify, assess, and mitigate potential threats while supporting
1145 the safety and well-being of students and school personnel.

1146 (b)(1) Such behavioral threat assessment management plans shall be submitted to the
1147 Department of Behavioral Health and Developmental Disabilities for approval.

1148 (2) The Department of Behavioral Health and Developmental Disabilities shall provide
1149 technical assistance to the Department of Education, regional educational service
1150 agencies, and all local school systems and other public schools in this state, including
1151 models of service to address the behavioral health needs of students.

1152 (3) The Georgia Emergency Management and Homeland Security Agency shall
1153 coordinate with the Department of Behavioral Health and Developmental Disabilities
1154 with respect to providing training and technical assistance to the Department of
1155 Education, regional education service agencies, and all local school systems and other
1156 public schools in this state on the development and implementation of such behavioral
1157 threat assessment management plans.

1158 (4) The Georgia Emergency Management and Homeland Security Agency shall
1159 coordinate with the Department of Behavioral Health and Developmental Disabilities,
1160 with respect to providing the same or similar training and technical assistance to private
1161 schools in this state."

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SECTION 22.

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

"Part 2

20-2-1186.

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

20-2-1186.1.

As used in this part, the term:

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

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

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

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

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

1183 20-2-1186.2.

1184 (a) There is created the Office of Safe Schools. The office shall serve as a central
1185 repository for best practices, training standards, and compliance oversight in all matters
1186 regarding school safety and security, including prevention efforts, intervention efforts, and
1187 emergency preparedness planning.

1188 (b) The office shall operate within the agency.

1189 (c) Subject to subsection (d) of this Code section, the office shall:

1190 (1) Provide technical assistance to each public school in this state to establish policies
1191 and procedures for the prevention of violence on school grounds, including the
1192 assessment of and intervention with individuals whose behavior poses a threat to the
1193 safety of the school community;

1194 (2) Establish and update, as necessary, a school security risk assessment tool for use by
1195 public schools. The office shall provide continuous training to appropriate public school
1196 personnel on the proper assessment of physical site security and completion of a school
1197 security risk assessment tool;

1198 (3) Provide ongoing professional learning opportunities to local school system personnel;

1199 (4) Provide a coordinated and interdisciplinary approach to providing technical
1200 assistance and guidance to local school systems on safety and security and
1201 recommendations therefor;

1202 (5) Develop and implement a school safety director training program for school safety
1203 directors. The office shall develop the training program which shall be based on national
1204 and state best practices on school safety and security and shall include active shooter
1205 training. The office shall develop training modules in traditional or online formats. A
1206 school safety director certificate of completion shall be awarded to a school safety
1207 director who satisfactorily completes the training required by rules of the office. The
1208 office shall work with the Georgia Public Safety Training Center to ensure the school
1209 safety director certificate aligns with the school resource officer program standards;

- 1210 (6) Review and provide recommendations on the security risk assessments;
1211 (7) Disseminate to participating schools awareness and education materials on the proper
1212 use of the 'See Something, Send Something' digital reporting application, including the
1213 consequences of knowingly submitting false information;
1214 (8) Develop a state-wide behavioral threat management operational process, a state-wide
1215 behavioral threat assessment indicator, and the S3 Database; and
1216 (9) Develop, in collaboration with the State Board of Education and the Department of
1217 Behavioral Health and Developmental Disabilities, and publish on its public website a
1218 process for a student or his or her parent or guardian to request the closure of such
1219 student's case from the S3 Database.
- 1220 (d) With respect to all student behavioral health components of the office's responsibilities
1221 provided for in subsection (c) of this Code section, the office shall obtain approval from
1222 the Department of Behavioral Health and Developmental Disabilities.

1223 20-2-1186.3.

1224 (a) By July 1, 2026, the office shall coordinate with the Department of Behavioral Health
1225 and Developmental Disabilities to develop a state-wide behavioral threat management
1226 operational process to guide local school systems, schools, and local law enforcement
1227 through the threat management process. The process shall be designed to identify, assess,
1228 manage, and monitor potential and real threats to schools. This process shall include, but
1229 shall not be limited to:

- 1230 (1) The establishment and duties of threat management teams;
1231 (2) Defining behavioral risks and threats;
1232 (3) Evaluating the behavior of students who may pose a threat to the school, school
1233 personnel, or other students and to coordinate intervention and services for such students;
1234 (4) The use, authorized user criteria, and access specifications for information collected
1235 by the behavioral threat management teams;

- 1236 (5) Procedures for the implementation of interventions, school support, and community
1237 services;
- 1238 (6) Guidelines for appropriate law enforcement intervention;
- 1239 (7) Procedures for risk management;
- 1240 (8) Procedures for disciplinary actions;
- 1241 (9) Mechanisms for continued monitoring of potential and real threats;
- 1242 (10) Procedures for referrals to mental health services identified by the local school
1243 system; and
- 1244 (11) Procedures and requirements necessary for the creation of a threat assessment
1245 report, all corresponding documentation, and any other required information.
- 1246 (b) Upon availability, each local school system and school shall use the state-wide
1247 behavioral threat management operational process.
- 1248 (c) The office shall partner with the Department of Behavioral Health and Developmental
1249 Disabilities with respect to training for all local school systems and schools on the
1250 state-wide behavioral threat management operational process.
- 1251 (d) The office shall coordinate the ongoing development, implementation, and operation
1252 of the state-wide behavioral threat management operational process.
- 1253 (e) The office shall receive input from interested parties regarding the development,
1254 implementation, and operation of the state-wide behavioral threat management operational
1255 process, including, but not limited to, the Department of Behavioral Health and
1256 Developmental Disabilities; the Office of the Child Advocate for the Protection of
1257 Children; other state and local behavioral health care providers, officials, and experts;
1258 superior and juvenile courts and court officials; state and local school officials, counselors,
1259 social workers, and teachers; and state and local law enforcement agencies and officials,
1260 the Georgia Sheriffs' Association, and the Georgia Association of Chiefs of Police.
- 1261 20-2-1186.4.

1262 (a) By July 1, 2026, the office shall coordinate with the Department of Behavioral Health
1263 and Developmental Disabilities to develop a state-wide behavioral threat assessment
1264 indicator to evaluate the behavior of students who may pose a threat to the school, school
1265 personnel, or students and to coordinate intervention and services for such students. The
1266 state-wide behavioral threat assessment indicator shall include, but shall not be limited to:

1267 (1) An assessment of the threat, which includes an assessment of the student, family,
1268 school, and social dynamics;

1269 (2) An evaluation to determine whether a threat exists and if so, the type of threat;

1270 (3) The response to a threat, which includes the school response, the role of law
1271 enforcement agencies in the response, and the response by mental health providers;

1272 (4) Ongoing monitoring to assess implementation of threat management and safety
1273 strategies;

1274 (5) Ongoing monitoring to evaluate interventions and support provided to the student;
1275 and

1276 (6) A standardized threat assessment report, which shall include, but shall not be limited
1277 to, all documentation associated with the evaluation, intervention, management, and any
1278 ongoing monitoring of the threat.

1279 (b) Upon availability, each local school system and school shall use the behavioral threat
1280 assessment indicator.

1281 (c) The office shall provide training for members of local law enforcement and for all local
1282 school systems regarding the use of the behavioral threat assessment indicator.

1283 20-2-1186.5.

1284 (a) Not later than July 1, 2026, the agency shall procure a state-wide behavioral threat
1285 assessment management system, known as the School and Student Safety Database or S3
1286 Database, that will collect and integrate data to evaluate the behavior of students who may
1287 pose a threat to the school, school personnel, or students; to provide for timely and

1288 methodical school based threat assessment and management; and to coordinate intervention
1289 and services for such students.

1290 (b) The S3 Database shall include, but shall not be limited to, the following functionalities:

1291 (1) Workflow processes that align with the state-wide behavioral threat management
1292 operational process;

1293 (2) Direct data entry and file uploading, as required by the behavioral threat assessment
1294 indicator;

1295 (3) The ability to create a threat assessment report as required by the behavioral threat
1296 assessment indicator;

1297 (4) The ability of authorized personnel to add to or update a threat assessment report, all
1298 corresponding documentation, or any other information as required by the behavioral
1299 threat assessment indicator;

1300 (5) The ability to create and remove connections between S3 records in the portal and
1301 authorized personnel;

1302 (6) The ability to securely transfer S3 records in the portal to other public schools or
1303 private or charter schools;

1304 (7) The ability to grant jurisdiction-appropriate access to the appointed school safety
1305 directors, authorized members of the established threat management teams, and
1306 authorized personnel as specified by the state-wide behavioral threat management
1307 operational process;

1308 (8) The ability to receive tips and threat reports from federal agencies, state agencies, and
1309 local law enforcement; and

1310 (9) The ability to generate reports of de-identified S3 records disaggregated by grade,
1311 age, race, sex, ethnicity, disability status, language learning status, and direct certification
1312 for income status or other reliable household income metric of the students who are the
1313 subjects of such S3 records.

- 1314 (c) To ensure access to timely, complete, and accurate information, the S3 Database shall,
1315 at a minimum, receive and share data from the following sources:
- 1316 (1) The Department of Administrative Services;
 - 1317 (2) The Office of the Child Advocate for the Protection of Children;
 - 1318 (3) The Department of Education;
 - 1319 (4) The Department of Human Services;
 - 1320 (5) The Division of Family and Children Services;
 - 1321 (6) The Department of Juvenile Justice;
 - 1322 (7) The Georgia Bureau of Investigation;
 - 1323 (8) The Georgia Technology Authority;
 - 1324 (9) The mobile suspicious activity reporting tool known as 'See Something, Send
1325 Something'; and
 - 1326 (10) Local law enforcement agencies and their threat reporting systems.
- 1327 (d) A local school system may request copies of S3 records of individuals of concern in
1328 that local school system for authorized local school system personnel.
- 1329 (e) The parent of a student may request a copy of his or her student's S3 record, but the
1330 request shall not be considered if said parent's parental rights have been terminated or a
1331 court of competent jurisdiction has restricted or denied such access.
- 1332 (f) To maintain the confidentiality requirements attached to the information provided to
1333 the S3 Database by the various state and local agencies, each source agency providing data
1334 to the S3 Database shall be the sole custodian of the data for the purpose of any request for
1335 inspection or copies thereof under Code Section 50-18-72.
- 1336 (g) The S3 Database shall comply with the requirements and standards established by the
1337 Federal Bureau of Investigation's Criminal Justice Information Services Security Policy.
- 1338 (h) The office shall develop and implement a quarterly S3 Database access review audit
1339 process.

1340 (i) Upon availability, each local school system and school shall comply with the quarterly
1341 S3 Database access review audit process developed by the office.

1342 (j) By August 1, 2026, and annually thereafter, the office shall provide role-based training
1343 to all authorized local school system and school personnel.

1344 (k) Beginning December 1, 2026, the office shall publish on its public website and update
1345 no less often than every three months a report of the de-identified and disaggregated
1346 information provided for in paragraph (9) of subsection (b) of this Code section.

1347 (l) Any individual who accesses, uses, or releases any S3 record for a purpose not
1348 specifically authorized by law commits a noncriminal infraction, punishable by a fine not
1349 to exceed \$2,000.00.

1350 20-2-1186.6.

1351 The office shall provide technical assistance to ensure each local school system establishes
1352 school safety best practices, which shall include:

1353 (1) Each local school system shall designate a school safety director for such local school
1354 system. The school safety director shall be a school administrator employed by such
1355 local school system, a law enforcement officer employed by such local school system,
1356 a law enforcement officer employed by the sheriff's office of the county where such local
1357 school system is primarily located, or a law enforcement officer employed by the city
1358 police department of the city where such local school system is primarily located. Any
1359 school safety director designated from a sheriff's office shall first be authorized and
1360 approved by the sheriff employing such law enforcement officer. Any school safety
1361 director designated from a sheriff's office remains the employee of the sheriff's office for
1362 purposes of compensation, insurance, workers' compensation, and other benefits
1363 authorized by law for a law enforcement officer employed by the sheriff's office. The
1364 sheriff and the local school superintendent shall determine by agreement the
1365 reimbursement for such costs, or may share the costs, associated with employment of the

1366 law enforcement officer as a school safety director. The school safety director shall earn
1367 a certificate of completion of the school safety director training provided by the office
1368 within one year after appointment and is responsible for the supervision and oversight for
1369 all school safety and security personnel, policies, and procedures in the local school
1370 system;

1371 (2) The school safety director, or his or her qualified designee, shall:

1372 (A) Annually review local school system policies and procedures for compliance with
1373 state law and rules. At least quarterly, the school safety director shall report to the local
1374 school superintendent and the local board of education any noncompliance by the local
1375 school system with laws or rules regarding school safety;

1376 (B) Provide the necessary training and resources to students and local school system
1377 staff in matters relating to youth mental health awareness and assistance; emergency
1378 procedures, including active shooter training; and school safety and security;

1379 (C) Serve as the local school system liaison with local public safety agencies and
1380 national, state, and community agencies and organizations in matters of school safety
1381 and security;

1382 (D) In collaboration with the appropriate public safety agencies, by October 1 of each
1383 year, conduct a school security risk assessment at each public school and private school
1384 by request. Based on the assessment findings, the local school system's school safety
1385 director shall provide recommendations to the local school superintendent and the local
1386 board of education which identify strategies and activities that the local board of
1387 education should establish, and the local school superintendent should implement, in
1388 order to address the findings and improve school safety and security. Each local board
1389 of education shall receive such findings and the school safety director's
1390 recommendations at a publicly noticed local board of education meeting to provide the
1391 public an opportunity to hear the local board of education members discuss and take
1392 action on the findings and recommendations. Each school safety director, through the

1393 local school superintendent, shall report such findings and school board action to the
1394 office within 30 days after the local board of education meeting;

1395 (E) Conduct annual unannounced inspections, using the form adopted by the office and
1396 the local school system, of all public schools while school is in session and investigate
1397 reports of noncompliance with school safety requirements to the local school
1398 superintendent;

1399 (F) Report violations of school safety requirements by educators to the local school
1400 superintendent, as applicable; and

1401 (G) By October 1 of each year, the school safety director shall hold a public meeting
1402 with parents to inform them of school safety policies and to hear their input. Such
1403 meeting may include other school officials, law enforcement officers, and the local
1404 mental health coordinator;

1405 (3) Each local school superintendent shall identify a mental health coordinator for the
1406 local school system. The mental health coordinator shall serve as the local school
1407 system's primary point of contact regarding the local school system's coordination,
1408 communication, and implementation of student mental health policies, procedures,
1409 responsibilities, and reporting, including:

1410 (A) Coordinating with the office;

1411 (B) Maintaining records and reports regarding student mental health as it relates to
1412 school safety;

1413 (C) Facilitating the implementation of local school system policies relating to the
1414 respective duties and responsibilities of the local school system, the local school
1415 superintendent, and local school system principals;

1416 (D) Coordinating with the school safety director on the staffing and training of threat
1417 assessment teams and facilitating referrals to mental health services, as appropriate, for
1418 students and their families;

1419 (E) Coordinating with the school safety director on the training and resources for
1420 students and local school system staff relating to youth mental health awareness and
1421 assistance; and

1422 (F) Reviewing annually the local school system's policies and procedures related to
1423 student mental health for compliance with state law and alignment with current best
1424 practices and making recommendations, as needed, for amending such policies and
1425 procedures to the local school superintendent and the local board of education;

1426 (4) Each school safety director shall coordinate with the appropriate public safety
1427 agencies that are designated as first responders to a school's campus to conduct an
1428 inspection of such campus once every three years and provide recommendations related
1429 to school safety. The office may be utilized to help coordinate and participate in these
1430 inspections. The recommendations by the public safety agencies shall be considered as
1431 part of the recommendations by the school safety director pursuant to paragraph (A) of
1432 paragraph (2) of this subsection;

1433 (5) Each local board of education shall adopt, in coordination with local law enforcement
1434 agencies and local governments, a family reunification plan to reunite students and
1435 employees with their families in the event that a school is closed or unexpectedly
1436 evacuated due to a natural or manmade disaster. Such reunification plan shall be
1437 reviewed annually and updated, as applicable;

1438 (6)(A) Except as otherwise provided in a school safety plan that meets the
1439 requirements of Code Section 20-2-1185, by August 1, 2026, each local school system
1440 shall comply with the following school safety requirements:

1441 (i) All exterior doors or other access points that restrict ingress to or egress from a
1442 school campus shall remain closed and locked at all times. An exterior door or other
1443 campus access point may not be open or unlocked, regardless of whether it is during
1444 normal school hours, unless attended or actively monitored by a school staff member
1445 or the use is in accordance with a shared use agreement;

1446 (ii) All school classrooms and other instructional spaces shall be locked to prevent
1447 ingress when occupied by students, except between class periods when students are
1448 moving between classrooms or other instructional spaces. If a classroom or other
1449 instructional space door shall be left unlocked or open for any reason other than
1450 between class periods when students are moving between classrooms or other
1451 instructional spaces, the door shall be actively staffed by a person standing or seated
1452 at the door;

1453 (iii) All campus access doors and other access points that allow ingress to or egress
1454 from a school building shall remain closed and locked at all times to prevent ingress,
1455 unless a person is actively entering or exiting the door or other access point. All
1456 campus access doors, gates, and other access points may be electronically or manually
1457 controlled by school personnel to allow access by authorized visitors, students, and
1458 school personnel; and

1459 (iv) All school classrooms and other instructional spaces shall clearly and
1460 conspicuously mark the safest areas in each classroom or other instructional space
1461 where students may shelter in place during an emergency. Students shall be notified
1462 of these safe areas within the first ten days of the school year. The office shall assist
1463 the school safety director with compliance during inspections.

1464 (B) Persons who are aware of a violation of this paragraph shall report the violation to
1465 the school principal. The school principal shall report the violation to the school safety
1466 director no later than the next business day after receiving such report. If the person
1467 who violated this paragraph is the school principal, the report shall be made directly to
1468 the local school superintendent, as applicable; and

1469 (7) Each local board of education shall adopt a progressive discipline policy for
1470 addressing any educator as defined in Code Section 20-2-982.1 who knowingly violates
1471 school safety requirements.

1472 20-2-1186.7.

1473 The office shall ensure that each local school system establishes a threat management team
1474 at each school whose duties include the coordination of resources and assessment of and
1475 intervention with students whose behavior may pose a threat to themselves or the safety of
1476 the school, school staff, or other students. Each school's threat management team shall
1477 adhere to the following requirements:

1478 (1) Upon the availability of a state-wide behavioral threat management operational
1479 process, all threat management teams shall use the operational process;

1480 (2) A threat management team shall be formed at the discretion of the local school
1481 superintendent and local sheriff's office, and shall include persons with expertise in
1482 counseling, mental health instruction, school administration, and law enforcement. All
1483 members of the threat management team shall be involved in the threat assessment and
1484 threat management process and final decision making. At least one member of the threat
1485 management team shall have personal familiarity with the individual who is the subject
1486 of the threat assessment, and if such individual has an Individualized Education Program
1487 (IEP) plan or a Section 504 plan, at least one member of the threat management team
1488 shall have personal familiarity with such plan. If no member of the threat management
1489 team has such familiarity, an educator, as defined in Code Section 20-2-982.1, who is
1490 personally familiar with the individual who is the subject of the threat assessment shall
1491 consult with the threat management team for the purpose of assessing the threat. The
1492 educator who provides such consultation shall not participate in the decision-making
1493 process;

1494 (3) The threat management team shall identify members of the school community to
1495 whom threatening behavior should be reported and provide guidance to students, faculty,
1496 and staff regarding recognition of threatening or aberrant behavior that may represent a
1497 threat to the community, school, or self;

1498 (4) Upon the availability of the state-wide behavioral threat assessment indicator, all
1499 threat management teams shall use that indicator when evaluating the behavior of
1500 students who may pose a threat to the school, school staff, or students and to coordinate
1501 intervention and services for such students;

1502 (5) Upon a preliminary determination that a student poses a threat of violence or physical
1503 harm to himself or herself or others, a threat management team shall immediately report
1504 its determination to the local school superintendent or his or her designee, local law
1505 enforcement, and the office. The local school superintendent or his or her designee shall
1506 immediately attempt to notify the student's parent or legal guardian and will determine
1507 who within the threat management team is the most appropriate to handle the situation.
1508 Nothing in this subsection precludes the local school system from acting immediately to
1509 address an imminent threat;

1510 (6) Upon a preliminary determination by the threat management team that a student
1511 poses a threat of violence to himself or herself or others or exhibits significantly
1512 disruptive behavior or need for assistance, authorized members of the threat management
1513 team shall submit a report to the office, who will use the S3 Database to complete its own
1514 report based on all available state resources on the individual of concern. A member of
1515 a threat management team may not disclose any information gathered during the creation
1516 of the report, gathered on the individual of concern from the office, or otherwise use any
1517 record of an individual beyond the purpose for which such disclosure was made to the
1518 threat management team;

1519 (7) Notwithstanding any other provision of law, all state and local agencies and programs
1520 that provide services to students experiencing or at risk of demonstrating behavior which
1521 indicates they may harm themselves or others, including, but not limited to, local school
1522 systems, school personnel, state and local law enforcement agencies, the Department of
1523 Juvenile Justice, the Department of Human Services, the Division of Family and Children
1524 Services, the Department of Education, the Office of the Child Advocate for the

1525 Protection of Children, and any service or support provider contracting with such
1526 agencies, should submit concerns to the office using the S3 Database to ensure the safety
1527 of the student or others;

1528 (8) If an immediate mental health or substance abuse crisis is suspected, school
1529 personnel shall follow steps established by the threat management team to engage
1530 behavioral health crisis resources. Behavioral health crisis resources, including, but not
1531 limited to, mobile crisis teams and school resource officers trained in crisis intervention,
1532 shall provide emergency intervention and assessment, make recommendations, and refer
1533 the student for appropriate services. Onsite school personnel shall report all such
1534 situations and actions taken to the threat management team, which shall contact the other
1535 agencies involved with the student and any known service providers to share information
1536 and coordinate any necessary follow-up actions. Upon the student's transfer to a different
1537 school within the same local school system, the threat management team of the receiving
1538 school shall verify that any intervention services provided to the student at the previous
1539 school remain in place until the threat management team of the receiving school
1540 independently determines the need for intervention services. Upon the student's transfer
1541 to a school outside of such local school system, the threat management team at the
1542 receiving school shall be provided access to the student's critical records as needed to
1543 determine the need for intervention services;

1544 (9) If human trafficking or gang affiliation is suspected, school personnel shall follow
1545 steps established by the threat management team to seek law enforcement assistance and
1546 to identify appropriate interventions for the safety of the student from outside criminal
1547 syndicates;

1548 (10) The threat management team shall prepare a threat assessment report required by
1549 the state-wide behavioral threat assessment indicator. A threat assessment report, all
1550 corresponding documentation, and any other information required by the state-wide
1551 behavioral threat assessment indicator shall be submitted to the office through the S3

1552 Database. Reports, tips, and information submitted into the S3 Database shall become
1553 an S3 record; and

1554 (11) Each local board of education shall establish a threat management coordinator to
1555 serve as the primary point of contact regarding the local school system's coordination,
1556 communication, and implementation of the threat management program and to report
1557 quantitative data to the office.

1558 20-2-1186.8.

1559 By August 1 of each year, the office shall:

1560 (1) Evaluate each local school system's use of the state-wide behavioral threat
1561 management operational process, the state-wide behavioral threat assessment indicator,
1562 and the S3 Database for compliance with this part;

1563 (2) Notify the local school superintendent, as applicable, if the use of the state-wide
1564 behavioral threat management operational process, the state-wide behavioral threat
1565 assessment indicator, or the S3 Database is not in compliance with this part; and

1566 (3) Report any issues of ongoing noncompliance with this part to the commissioner of
1567 Juvenile Justice and the local school superintendent, as applicable.

1568 20-2-1186.9.

1569 (a)(1) By August 1, 2025, the office shall develop and adopt a school safety compliance
1570 inspection report to document compliance or noncompliance with school safety
1571 requirements mandated by law, rule, or regulation and adherence to established school
1572 safety best practices to evaluate the safety, security, and emergency response of the
1573 school.

1574 (2) Upon the adoption of the report and upon any revisions to the report, the office shall
1575 provide a blank copy of such report to each local school superintendent.

1576 (b) The office shall monitor compliance with requirements relating to school safety by
1577 local school systems and schools. The office shall conduct unannounced inspections of all
1578 public schools while school is in session, triennially, and investigate reports of
1579 noncompliance with school safety requirements. Within three school days after the
1580 unannounced inspection, the office shall provide a copy of the completed school safety
1581 compliance inspection report, including any photographs or other evidence of
1582 noncompliance, to the school safety director; the school principal, as appropriate, and the
1583 local school superintendent. The school safety director shall acknowledge, in writing,
1584 receipt of the report within one school day after receipt. The office shall reinspect any
1585 school with documented deficiencies within six months. The school safety director, or his
1586 or her designee, shall provide the office with written notice of how the noncompliance has
1587 been remediated within three school days after receipt of the report.

1588 (c) The office shall provide quarterly reports to each local school superintendent and school
1589 safety director identifying the number and percentage of schools inspected or reinspected
1590 during that quarter and the number and percentage of inspected schools that had no school
1591 safety requirement deficiencies. Annually, during the first quarter of every school year, the
1592 school safety director shall report to the local board of education in a public meeting the
1593 number of schools inspected during the preceding calendar year and the number and
1594 percentage of schools in compliance during the initial inspection and reinspection.

1595 20-2-1186.10.

1596 (a) Beginning October 1, 2026, the Department of Education shall publish on its public
1597 website reports of:

1598 (1) Student discipline information by local education agency, as such term is defined in
1599 Code Section 20-2-167.1, for the previous school year. Such report shall include the
1600 following information as a total number and disaggregated by grade, age, race, sex,

1601 ethnicity, disability status, language learning status, and direct certification for income
 1602 status or other reliable household income metric:

1603 (A) Short-term suspensions;

1604 (B) Long-term suspensions;

1605 (C) Expulsions;

1606 (D) In-school suspensions;

1607 (E) Out-of-school suspensions;

1608 (F) Notices of chronic disciplinary problem made pursuant to Code Section 20-2-765;

1609 (G) Disciplinary and behavioral correction plans made pursuant to Code
 1610 Section 20-2-766; and

1611 (H) Referrals of students for law enforcement action; and

1612 (2) Student attendance by local education agency, as such term is defined in Code
 1613 Section 20-2-167.1, and by school.

1614 (b) The State Board of Education shall adopt all policies, rules, and regulations necessary
 1615 to implement the provisions of this Code section."

1616 **SECTION 23.**

1617 Code Section 16-11-37 of the Official Code of Georgia Annotated, relating to terroristic
 1618 threats and acts and penalties, is amended by revising paragraph (1) of subsection (d) and by
 1619 adding new subsections to read as follows:

1620 "(d)(1) A person convicted of the offense of a terroristic threat shall be punished as for
 1621 a misdemeanor; provided, however, that, if the threat suggested the death of the
 1622 threatened individual or threatened the death of, or serious injury to, a group of
 1623 individuals who are or will likely be at or within a school, the person convicted shall be
 1624 guilty of a felony and shall be punished by a fine of not more than \$1,000.00,
 1625 imprisonment for not less than one nor more than five years, or both."

1626 "(f) Any parent or legal guardian who intentionally advises, counsels, encourages, aids, or
1627 abets his or her minor child in the commission of an offense prohibited by paragraph (1)
1628 of subsection (d) of this Code section, relating to threatening the death of, or serious injury
1629 to, a group of individuals who are or will likely be at or within a school, shall be deemed
1630 a person concerned in the commission of such offense, as provided for in Code Section
1631 16-2-20, and may be charged with and convicted of the commission of such offense as a
1632 party thereto.

1633 (g) Whenever there is a credible accusation that a person threatened, whether verbally, in
1634 writing, or otherwise, the death of, or serious injury to, a group of individuals, pursuant to
1635 paragraph (1) of subsection (d) of this Code section, who are or will likely be at or within
1636 a school and that the person who made the threat is enrolled in the school, such school shall
1637 immediately reassign such person to remote learning and provide him or her with
1638 counseling while the school and other parties investigate the allegation or information
1639 related to the threat. Once the school has made a substantive finding related to the threat,
1640 it may discontinue the remote learning assignment and impose relevant discipline, as
1641 appropriate."

1642 **SECTION 24.**

1643 Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to
1644 inspection of public records, is amended in Code Section 50-18-72, relating to when public
1645 disclosure not required, by striking "or" at the end of paragraph (51), by replacing the period
1646 with "; and" at the end of paragraph (52), and by adding a new paragraph to read as follows:

1647 "(53) Information held in the School and Student Safety Database provided for in Part 2
1648 of Article 27 of Chapter 2 of Title 20 or by a threat management team established by a
1649 local school system relating to the assessment of or intervention with an individual of
1650 concern."

