

The House Committee on Education 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

H. B. 268 (SUB)

- 1 -

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 a short title; to provide for
56 definitions; to amend Code Section 16-11-37 of the Official Code of Georgia Annotated,
57 relating to terroristic threats and acts and penalties, so as to provide for the offense of
58 threatening the death of or serious injury to individuals who are or likely to be at school; to
59 provide for parents and legal guardians to be charged as a person concerned in the
60 commission of such offense; to amend Article 4 of Chapter 18 of Title 50 of the Official
61 Code of Georgia Annotated, relating to inspection of public records, so as to provide for an
62 exemption; to provide for related matters; to provide for an effective date; to repeal
63 conflicting laws; and for other purposes.

64 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

65 **SECTION 1.**

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

H. B. 268 (SUB)

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

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

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

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

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

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

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

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

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

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

124 local unit of administration of the school district where such child or youth is being
125 held; provided, however, that such child or youth may be eligible for enrollment in a
126 state charter school pursuant to Code Section 20-2-2084.1.

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

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

134 (4) When the custodian of or placing agency for any child notifies a local unit of
135 administration, as provided in paragraph (3) of this subsection, that the child may become
136 eligible for enrollment in the educational programs of a local unit of administration, such
137 local unit of administration shall request the transfer of the ~~educational~~ education records
138 and Individualized Education Programs and all education related evaluations,
139 assessments, social histories, and observations of the child from the appropriate local unit
140 of administration no later than ~~ten~~ five days after receiving notification. Notwithstanding
141 any other law to the contrary, the custodian of the records has the obligation to transfer
142 ~~these~~ such records and the local unit of administration has the right to receive, review,
143 and utilize ~~these~~ such records. Notwithstanding any other law to the contrary, upon the
144 request of a local unit of administration responsible for providing educational services to
145 a child described in subparagraph (A) of paragraph (1) of this subsection, the Department
146 of Juvenile Justice, ~~the Department of Behavioral Health and Developmental Disabilities,~~
147 ~~or the Department of Human Services, or the~~ Division of Family and Children Services
148 shall furnish to the local unit of administration all medical and ~~educational~~ education
149 records in the possession of the Department of Juvenile Justice, ~~the Department of~~
150 ~~Behavioral Health and Developmental Disabilities,~~ or the Department of Human

151 Services, or the Division of Family and Children Services pertaining to any such child;
152 except where consent of a parent or legal guardian is required in order to authorize the
153 release of any of such records, in which event the Department of Juvenile Justice, the
154 Department of Behavioral Health and Developmental Disabilities, or the Department of
155 Human Services shall obtain such consent from the parent or guardian prior to such
156 release. Such records shall include, but shall not be limited to, any record that such
157 student:

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

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

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

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

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

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

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

171 or

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

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

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

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

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

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

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

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

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

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

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

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

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

219 ~~(5)~~(7) Any local unit of administration which serves a child pursuant to subparagraph (A)
220 of paragraph (1) of this subsection shall receive in the form of annual grants in state
221 funding for that child the difference between the actual state funds received for that child
222 pursuant to Code Section 20-2-161 and the reasonable and necessary expenses incurred
223 in educating that child, calculated pursuant to regulations adopted by the State Board of
224 Education. Each local board of education shall be held harmless by the state from
225 expending local funds for educating students pursuant to this Code section; provided,
226 however, that this shall only apply to students who are unable to leave the facility in
227 which they have been placed.

228 ~~(6)~~(8) Enrollment of an eligible child pursuant to this Code section shall be effectuated
229 in accordance with rules and regulations adopted by the State Board of Education.

230 ~~(7)~~(9) For purposes of the accountability program provided for in Part 3 of Article 2 of
231 Chapter 14 of this title, all facilities serving children described in subparagraph (A) of

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

237 ~~(8)~~(10) The Department of Education, the State Charter Schools Commission, the
 238 Department of Human Services, the Division of Family and Children Services, the
 239 Department of Juvenile Justice, ~~the Department of Behavioral Health and Developmental~~
 240 ~~Disabilities~~, and the local units of administration where Department of Education, State
 241 Charter Schools Commission, Department of Juvenile Justice, ~~Department of Behavioral~~
 242 ~~Health and Developmental Disabilities~~, or Department of Human Services, or Division
 243 of Family and Children Services placements, facilities, or contract facilities are located
 244 shall jointly develop procedures binding on all agencies implementing the provisions of
 245 this Code section applicable to children and youth in the physical or legal custody of the
 246 Department of Juvenile Justice, under the care or physical or legal custody of the
 247 Department of Human Services or the Division of Family and Children Services, ~~or under~~
 248 ~~the physical custody of the Department of Behavioral Health and Developmental~~
 249 ~~Disabilities."~~

250

SECTION 2.

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

254 "20-2-192.

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

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

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

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

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

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

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

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

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

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

299 **SECTION 3.**

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

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

308 (2) The regional educational service agencies established by the state board may legally
 309 be referred to as 'RESA' or 'RESA's RESAs'."

310 **SECTION 4.**

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

313 "20-2-270.2.

314 (a) Each regional educational service agency shall be authorized to provide dispute
 315 resolution services as provided for in Code Sections 20-2-133 and 20-2-670 to local
 316 education agencies, local units of administration, and public and private schools located
 317 within the service area of such regional educational service agency and to the Department
 318 of Juvenile Justice, the Department of Human Services, and the Division of Family and
 319 Children Services.

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

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

326 **SECTION 5.**

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

330 "(6.1) 'Legal custodian' means an entity or individual other than a parent with legal
 331 authority to act on behalf of a student. Such term shall include the Department of

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

334 (6.2) 'Local board of education' means the governing body of each local education
 335 agency as such terms are defined in Code Section 20-2-167.1. Such term shall include
 336 the Department of Juvenile Justice school system."

337 "(8.1) 'Parent' means an individual other than a legal custodian who has legal authority
 338 to act on behalf of a student as a natural or adoptive parent or a legal guardian."

339 **SECTION 6.**

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

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

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

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

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

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

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

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

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

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

377 **SECTION 7.**

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

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

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

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

395 **SECTION 8.**

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

399 "20-2-670.

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

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

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

406 (B) Academic transcript;

407 (C) Attendance records;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

485 or

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

487 20-2-1184; and

488 (2) Either:

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

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

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

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

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

502 (2) If the receiving school does not receive such student's critical records from each
503 sending school such student attended during the previous 24 months, the receiving school
504 shall be authorized to temporarily assign such student to remote learning until such
505 critical records are received or the case management consultation provided for in
506 subsection (i) of this Code section is completed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

606 **SECTION 9.**

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

609 "20-2-671.

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

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

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

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

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

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

624 **SECTION 10.**

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

627 "20-2-700.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

692 **SECTION 11.**

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

695 "20-2-720.

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

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

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

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

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

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

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

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

724 **SECTION 12.**

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

727 "20-2-741.

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

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

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

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

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

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

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

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

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

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

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

756 **SECTION 13.**

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

759 "20-2-757.

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

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

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

775 **SECTION 14.**

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

778 "20-2-766.1.

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

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

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

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

794 **SECTION 15.**

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

797 "20-2-779.1.

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

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

- 801 (A) Strong evidence from at least one well-designed and well-implemented
 802 experimental study;
- 803 (B) Moderate evidence from at least one well-designed and well-implemented
 804 quasi-experimental study; or
- 805 (C) Promising evidence from at least one well-designed and well-implemented
 806 correlational study with statistical controls for selection bias; or
- 807 (2) Demonstrates a rationale based on high-quality research findings or positive
 808 evaluation that such program or practice is likely to improve relevant outcomes, and
 809 includes ongoing efforts to examine the effects of such program or practice.
- 810 ~~(a)(1)(b)~~ The State Board ~~The Department~~ of Education shall adopt rules to require that:
- 811 (1) All all certificated public school personnel receive annual training in youth violence
 812 and suicide awareness and prevention. This Such training shall be provided within the
 813 framework of existing in-service training programs offered or facilitated by the
 814 Department of Education, the Department of Behavioral Health and Developmental
 815 Disabilities, or as part of required professional development offered by a local school
 816 system or public school; and
- 817 (2)(A) Beginning in the 2026-2027 school year, and continuing each school year
 818 thereafter, all public schools serving students in any one of grades six through 12 which
 819 receive funds in any manner from the state shall provide to students:
- 820 (i) At least one hour of evidence based suicide awareness and prevention training
 821 each school year; and
- 822 (ii) At least one hour of evidence based youth violence prevention training each
 823 school year.
- 824 (B) Such training may be delivered in person, remotely, or digitally and may be
 825 included as part of the health and physical education course of study provided for in
 826 subsection (c) of Code Section 20-2-142.

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

836 ~~(3)~~(2) Approved training programs and materials shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

933 **SECTION 16.**

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

936 "20-2-785.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

996 **SECTION 17.**

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

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

1004 (1) Procedures that meet the requirements of Code Sections 20-2-667 and 20-2-670 for
 1005 a parent to review records relating to his or her minor child and to request the transfer of
 1006 such records to another school or a person or entity authorized to receive such records;

1007 (2)(A) Procedures for a parent to learn about his or her minor child's courses of study,
 1008 including, but not limited to, parental access to instructional materials intended for use
 1009 in the classroom. Instructional materials intended for use in his or her minor child's

1010 classroom shall be made available for parental review during the review period. If such
 1011 instructional materials are not made available by a school or local school system for
 1012 review online, then they shall be made available for review on site upon a parent's
 1013 request made during the review period.

1014 (B) Procedures for a parent to object to instructional materials intended for use in his
 1015 or her minor child's classroom or recommended by his or her minor child's teacher;

1016 (3) Procedures for a parent to withdraw his or her minor child from the school's
 1017 prescribed course of study in sex education if the parent provides a written objection to
 1018 his or her minor child's participation. Such procedures ~~must~~ shall provide for a parent to
 1019 be notified in advance of such course content so that he or she may withdraw his or her
 1020 minor child from the course; ~~and~~

1021 (4) Procedures for a parent to provide written notice that photographs or video or voice
 1022 recordings of his or her child are not permitted, subject to applicable public safety and
 1023 security exceptions; and

1024 (5) Procedures that meet the requirements of Code Sections 20-2-667 and 20-2-670 for
 1025 the timely production of a student's education records by such student's current or
 1026 previous school to another school in which such student has enrolled, intends to enroll,
 1027 or is considering enrollment."

1028 **SECTION 18.**

1029 Said chapter is further amended in Article 27, relating to loitering at or disrupting schools,
 1030 by revising subsection (a) and paragraph (2) of subsection (b) of Code Section 20-2-1181,
 1031 relating to disrupting operation of public school, school bus, or school bus stop, penalty, and
 1032 progressive discipline, as follows:

1033 "(a) It shall be unlawful for any person to knowingly, intentionally, or recklessly disrupt
 1034 or interfere with the operation of any public school, public school bus, or public school bus
 1035 stop as designated by local boards of education. For purposes of this Code section, an

1036 individual who knowingly, intentionally, or recklessly threatened, whether verbally, in
1037 writing, or otherwise, the death of or serious injury to a group of individuals who are, or
1038 will likely be, at or within a public school, public school bus, or public school bus stop,
1039 shall be considered to have disrupted or interfered with the operation of such public school,
1040 public school bus, or public school bus stop. Except as provided in subsection (b) of this
1041 Code section, a person convicted of violating this Code section shall be guilty of a
1042 misdemeanor of a high and aggravated nature."

1043 "(2) A local board of education shall develop a system of progressive discipline that may
1044 be imposed on a child accused of violating this Code section before initiating a
1045 complaint. Such system of progressive discipline shall include a requirement that when
1046 there is a credible accusation that an individual threatened, whether verbally, in writing,
1047 or otherwise, the death of or serious injury to a group of individuals, pursuant to
1048 subsection (a) of this Code section, who are, or will likely be, at or within a public school
1049 that such individual attends, or has attended, the school shall be authorized to temporarily
1050 assign such individual to remote learning and provide counseling to such individual and
1051 shall initiate an investigation into such violation. Upon completion of such investigation
1052 which results in substantive findings related to such violation, the school may elect to
1053 reinstate the individual or impose relevant discipline."

1054 **SECTION 19.**

1055 Said chapter is further amended in said article by revising Code Section 20-2-1183, relating
1056 to written agreement for law enforcement officers in schools, as follows:

1057 "20-2-1183.

1058 (a) When a local school system assigns or employs law enforcement officers in schools,
1059 the local board of education shall have a collaborative written agreement with law
1060 enforcement officials to establish the role of law enforcement and school employees in

1061 school disciplinary matters and ensure coordination and cooperation among officials,
1062 agencies, and programs involved in school discipline and public protection.

1063 (b) By October 1, 2025, the collaborative written agreement required by this Code section
1064 shall include specific terms and conditions for the handling and disclosure of student
1065 education records, student data, and student personally identifiable data, as such terms are
1066 defined in Code Section 20-2-662. Such terms and conditions shall include, but shall not
1067 be limited to:

1068 (1) Under what circumstances information regarding a student may or shall be disclosed
1069 to a law enforcement officer, a law enforcement agency, a judge or court personnel, or
1070 another state or local agency or officer with a legal interest in such information;

1071 (2) Whether any law enforcement officer who is subject to such agreement is or may act
1072 as a school official with access to student education records and the personally
1073 identifiable information contained therein; and

1074 (3) Whether the law enforcement officers who are subject to such agreement constitute
1075 a law enforcement unit, as such term is defined in the federal Family Education Rights
1076 and Privacy Act (FERPA) and its implementing regulations, 20 U.S.C. Section 1232g;
1077 and 34 C.F.R. Part 99.3; and, if so:

1078 (A) What records shall be handled as law enforcement unit records and are not
1079 protected by FERPA; and

1080 (B) What records shall be handled as education records and are protected by FERPA.

1081 (c) By August 1, 2025, the Department of Education shall publish on its public website
1082 model language for the terms and conditions required by this Code section to be available
1083 for use by schools and law enforcement officers. Such model language shall be reviewed
1084 and updated from time to time as necessary to comport with the content of the guidance
1085 document promulgated by the Department of Education chief privacy officer as provided
1086 for in Code Section 20-2-663."

SECTION 20.

1087

1088 Said chapter is further amended in said article by revising subsections (a) and (c) of Code
1089 Section 20-2-1185, relating to school safety plans and drills, as follows:

1090 "(a) Every public school shall prepare a school safety plan to help curb the growing
1091 incidence of violence in schools, to respond effectively to such incidents, to address the
1092 behavioral health needs of students, and to provide a safe learning environment for
1093 Georgia's children, teachers, and other school personnel. Such plan shall also address
1094 preparedness for natural disasters, hazardous materials or radiological accidents, acts of
1095 violence, and acts of terrorism. School safety plans of public schools shall be prepared
1096 with input from students enrolled in that school, parents or legal guardians of such students,
1097 teachers in that school, community leaders, other school employees and school district
1098 employees, and local law enforcement, juvenile court, fire service, public safety, and
1099 emergency management agencies. As part of such plans, public schools shall provide for
1100 the coordination with local law enforcement agencies and the local juvenile court system.

1101 School safety plans shall include, at a minimum, the following strategy areas:

1102 (1) Training school administrators, teachers, and support staff, including, but not limited
1103 to, school resource officers, security officers, secretaries, custodians, and bus drivers, on
1104 school violence prevention, school security, school threat assessment, mental health
1105 awareness, and school emergency planning best practices;

1106 (2) Evaluating and refining school security measures;

1107 (3) Updating and exercising school emergency preparedness plans;

1108 (4) Strengthening partnerships with public safety officials; ~~and~~

1109 (5) Creating enhanced crisis communications plans and social media strategies;

1110 (6) Addressing behavioral health needs of students and staff utilizing guidance from the

1111 Department of Behavioral Health and Developmental Disabilities; and

1112 (7) Developing a behavioral threat assessment and management process and plan
1113 utilizing guidance from the Georgia Emergency Management and Homeland Security
1114 Agency.

1115 School safety plans of private schools may be prepared with input from students enrolled
1116 in that school, parents or legal guardians of such students, teachers in that school, other
1117 school employees, and local law enforcement, fire service, public safety, and emergency
1118 management agencies. Such plans shall be reviewed and, if necessary, updated annually.
1119 Such plans of public schools shall be submitted to the local emergency management
1120 agency, the local law enforcement agency, ~~and~~ the Georgia Emergency Management and
1121 Homeland Security Agency, ~~and~~ the Department of Behavioral Health and Developmental
1122 Disabilities, as provided for in Code Section 20-2-1185.1, for approval."

1123 "(c) School safety plans prepared by public schools shall address or include:

1124 (1) Security ~~security~~ issues in school safety zones as defined in Code Section
1125 ~~16-11-127.1.—School safety plans should also address security;~~

1126 (2) Security issues involving the transportation of ~~pupils~~ students to and from school and
1127 school functions when such transportation is furnished by the school or school system
1128 and school functions held during noninstructional hours;

1129 (3) Specific plans to restrict ingress to or egress from all buildings and other facilities
1130 located on the school property; and

1131 (4) Specific plans for whether and when each of the following will be locked or actively
1132 supervised by school personnel, or both:

1133 (A) Exterior doors and other access points of all buildings and other facilities located
1134 on the school property; and

1135 (B) Doors to all classrooms and other instructional spaces on the school property."

SECTION 21.

1136
1137 Said chapter is further amended in said article by adding a new Code section to read as
1138 follows:

1139 "20-2-1185.1.

1140 (a) No later than January 1, 2027, each public school safety plan required by Code Section
1141 20-2-1185 shall include provisions that address the behavioral health needs of students and
1142 a behavioral threat assessment management plan for providing a structured,
1143 multidisciplinary process to identify, assess, and mitigate potential threats while supporting
1144 the safety and well-being of students and school personnel.

1145 (b)(1) Such behavioral threat assessment management plans shall be submitted to the
1146 Department of Behavioral Health and Developmental Disabilities for approval.

1147 (2) The Department of Behavioral Health and Developmental Disabilities shall provide
1148 technical assistance to the Department of Education, regional educational service
1149 agencies, and all local school systems and other public schools in this state, including
1150 models of service to address the behavioral health needs of students.

1151 (3) The Georgia Emergency Management and Homeland Security Agency shall
1152 coordinate with the Department of Behavioral Health and Developmental Disabilities
1153 with respect to providing training and technical assistance to the Department of
1154 Education, regional education service agencies, and all local school systems and other
1155 public schools in this state on the development and implementation of such behavioral
1156 threat assessment management plans.

1157 (4) The Georgia Emergency Management and Homeland Security Agency shall
1158 coordinate with the Department of Behavioral Health and Developmental Disabilities,
1159 with respect to providing the same or similar training and technical assistance to private
1160 schools in this state."

1161 **SECTION 22.**

1162 Said chapter is further amended in said article by designating Code Sections 20-2-1180
1163 through 20-2-1185.1 as Part 1 and by adding a new part to read as follows:

1164 "Part 2

1165 20-2-1186.

1166 This part shall be known and may be cited as the 'Office of Safe Schools Act.'

1167 20-2-1186.1.

1168 As used in this part, the term:

1169 (1) 'Agency' means the Georgia Emergency Management and Homeland Security
1170 Agency.

1171 (2) 'Individual of concern' means an individual whose behavior indicates a potential
1172 threat to self or others.

1173 (3) 'Office' or the 'Office of Safe Schools' means a central repository for best practices,
1174 training standards, and compliance oversight in all matters regarding school safety and
1175 security.

1176 (4) 'S3 Database' or the 'School and Student Safety Database' means the state-wide
1177 system for obtaining, developing, integrating, and disseminating data and information on
1178 threats to the safety of schools, school staff, school events, and students provided for in
1179 this part.

1180 (5) 'S3 record' means information and assessment findings related to an individual of
1181 concern in the S3 Database.

1182 20-2-1186.2.

1183 (a) There is created the Office of Safe Schools. The office shall serve as a central
1184 repository for best practices, training standards, and compliance oversight in all matters
1185 regarding school safety and security, including prevention efforts, intervention efforts, and
1186 emergency preparedness planning.

1187 (b) The office shall operate within the agency.

1188 (c) Subject to subsection (d) of this Code section, the office shall:

1189 (1) Provide technical assistance to each public school in this state to establish policies
1190 and procedures for the prevention of violence on school grounds, including the
1191 assessment of and intervention with individuals whose behavior poses a threat to the
1192 safety of the school community;

1193 (2) Establish and update, as necessary, a school security risk assessment tool for use by
1194 public schools. The office shall provide continuous training to appropriate public school
1195 personnel on the proper assessment of physical site security and completion of a school
1196 security risk assessment tool;

1197 (3) Provide ongoing professional learning opportunities to local school system personnel;

1198 (4) Provide a coordinated and interdisciplinary approach to providing technical
1199 assistance and guidance to local school systems on safety and security and
1200 recommendations therefor;

1201 (5) Develop and implement a school safety director training program for school safety
1202 directors. The office shall develop the training program which shall be based on national
1203 and state best practices on school safety and security and shall include active shooter
1204 training. The office shall develop training modules in traditional or online formats. A
1205 school safety director certificate of completion shall be awarded to a school safety
1206 director who satisfactorily completes the training required by rules of the office. The
1207 office shall work with the Georgia Public Safety Training Center to ensure the school
1208 safety director certificate aligns with the school resource officer program standards;

- 1209 (6) Review and provide recommendations on the security risk assessments;
 1210 (7) Disseminate to participating schools awareness and education materials on the proper
 1211 use of the 'See Something, Send Something' digital reporting application, including the
 1212 consequences of knowingly submitting false information;
 1213 (8) Develop a state-wide behavioral threat management operational process, a state-wide
 1214 behavioral threat assessment indicator, and the S3 Database; and
 1215 (9) Develop, in collaboration with the State Board of Education and the Department of
 1216 Behavioral Health and Developmental Disabilities, and publish on its public website a
 1217 process for a student or his or her parent or guardian to request the closure of such
 1218 student's case from the S3 Database.
 1219 (d) With respect to all student behavioral health components of the office's responsibilities
 1220 provided for in subsection (c) of this Code section, the office shall obtain approval from
 1221 the Department of Behavioral Health and Developmental Disabilities.

1222 20-2-1186.3.

1223 (a) By July 1, 2026, the office shall coordinate with the Department of Behavioral Health
 1224 and Developmental Disabilities to develop a state-wide behavioral threat management
 1225 operational process to guide local school systems, schools, and local law enforcement
 1226 through the threat management process. The process shall be designed to identify, assess,
 1227 manage, and monitor potential and real threats to schools. This process shall include, but
 1228 shall not be limited to:

- 1229 (1) The establishment and duties of threat management teams;
 1230 (2) Defining behavioral risks and threats;
 1231 (3) Evaluating the behavior of students who may pose a threat to the school, school
 1232 personnel, or other students and to coordinate intervention and services for such students;
 1233 (4) The use, authorized user criteria, and access specifications for information collected
 1234 by the behavioral threat management teams;

- 1235 (5) Procedures for the implementation of interventions, school support, and community
1236 services;
- 1237 (6) Guidelines for appropriate law enforcement intervention;
- 1238 (7) Procedures for risk management;
- 1239 (8) Procedures for disciplinary actions;
- 1240 (9) Mechanisms for continued monitoring of potential and real threats;
- 1241 (10) Procedures for referrals to mental health services identified by the local school
1242 system; and
- 1243 (11) Procedures and requirements necessary for the creation of a threat assessment
1244 report, all corresponding documentation, and any other required information.
- 1245 (b) Upon availability, each local school system and school shall use the state-wide
1246 behavioral threat management operational process.
- 1247 (c) The office shall partner with the Department of Behavioral Health and Developmental
1248 Disabilities with respect to training for all local school systems and schools on the
1249 state-wide behavioral threat management operational process.
- 1250 (d) The office shall coordinate the ongoing development, implementation, and operation
1251 of the state-wide behavioral threat management operational process.
- 1252 (e) The office shall receive input from interested parties regarding the development,
1253 implementation, and operation of the state-wide behavioral threat management operational
1254 process, including, but not limited to, the Department of Behavioral Health and
1255 Developmental Disabilities; the Office of the Child Advocate for the Protection of
1256 Children; other state and local behavioral health care providers, officials, and experts;
1257 superior and juvenile courts and court officials; state and local school officials, counselors,
1258 social workers, and teachers; and state and local law enforcement agencies and officials,
1259 the Georgia Sheriffs' Association, and the Georgia Association of Chiefs of Police.
- 1260 20-2-1186.4.

1261 (a) By July 1, 2026, the office shall coordinate with the Department of Behavioral Health
1262 and Developmental Disabilities to develop a state-wide behavioral threat assessment
1263 indicator to evaluate the behavior of students who may pose a threat to the school, school
1264 personnel, or students and to coordinate intervention and services for such students. The
1265 state-wide behavioral threat assessment indicator shall include, but shall not be limited to:

1266 (1) An assessment of the threat, which includes an assessment of the student, family,
1267 school, and social dynamics;

1268 (2) An evaluation to determine whether a threat exists and if so, the type of threat;

1269 (3) The response to a threat, which includes the school response, the role of law
1270 enforcement agencies in the response, and the response by mental health providers;

1271 (4) Ongoing monitoring to assess implementation of threat management and safety
1272 strategies;

1273 (5) Ongoing monitoring to evaluate interventions and support provided to the student;
1274 and

1275 (6) A standardized threat assessment report, which shall include, but shall not be limited
1276 to, all documentation associated with the evaluation, intervention, management, and any
1277 ongoing monitoring of the threat.

1278 (b) Upon availability, each local school system and school shall use the behavioral threat
1279 assessment indicator.

1280 (c) The office shall provide training for members of local law enforcement and for all local
1281 school systems regarding the use of the behavioral threat assessment indicator.

1282 20-2-1186.5.

1283 (a) Not later than July 1, 2026, the agency shall procure a state-wide behavioral threat
1284 assessment management system, known as the School and Student Safety Database or S3
1285 Database, that will collect and integrate data to evaluate the behavior of students who may
1286 pose a threat to the school, school personnel, or students; to provide for timely and

1287 methodical school based threat assessment and management; and to coordinate intervention
1288 and services for such students.

1289 (b) The S3 Database shall include, but shall not be limited to, the following functionalities:

1290 (1) Workflow processes that align with the state-wide behavioral threat management
1291 operational process;

1292 (2) Direct data entry and file uploading, as required by the behavioral threat assessment
1293 indicator;

1294 (3) The ability to create a threat assessment report as required by the behavioral threat
1295 assessment indicator;

1296 (4) The ability of authorized personnel to add to or update a threat assessment report, all
1297 corresponding documentation, or any other information as required by the behavioral
1298 threat assessment indicator;

1299 (5) The ability to create and remove connections between S3 records in the portal and
1300 authorized personnel;

1301 (6) The ability to securely transfer S3 records in the portal to other public schools or
1302 private or charter schools;

1303 (7) The ability to grant jurisdiction-appropriate access to the appointed school safety
1304 directors, authorized members of the established threat management teams, and
1305 authorized personnel as specified by the state-wide behavioral threat management
1306 operational process; and

1307 (8) The ability to receive tips and threat reports from federal agencies, state agencies, and
1308 local law enforcement.

1309 (c) To ensure access to timely, complete, and accurate information, the S3 Database shall,
1310 at a minimum, receive and share data from the following sources:

1311 (1) The Department of Administrative Services;

1312 (2) The Office of the Child Advocate for the Protection of Children;

1313 (3) The Department of Education;

- 1314 (4) The Department of Human Services;
1315 (5) The Division of Family and Children Services;
1316 (6) The Department of Juvenile Justice;
1317 (7) The Georgia Bureau of Investigation;
1318 (8) The Georgia Technology Authority;
1319 (9) The mobile suspicious activity reporting tool known as 'See Something, Send
1320 Something'; and
1321 (10) Local law enforcement agencies and their threat reporting systems.
- 1322 (d) A local school system may request copies of S3 records of individuals of concern in
1323 that local school system for authorized local school system personnel.
- 1324 (e) The parent of a student may request a copy of his or her student's S3 record, but the
1325 request shall not be considered if said parent's parental rights have been terminated or a
1326 court of competent jurisdiction has restricted or denied such access.
- 1327 (f) To maintain the confidentiality requirements attached to the information provided to
1328 the S3 Database by the various state and local agencies, each source agency providing data
1329 to the S3 Database shall be the sole custodian of the data for the purpose of any request for
1330 inspection or copies thereof under Code Section 50-18-72.
- 1331 (g) The S3 Database shall comply with the requirements and standards established by the
1332 Federal Bureau of Investigation's Criminal Justice Information Services Security Policy.
- 1333 (h) The office shall develop and implement a quarterly S3 Database access review audit
1334 process.
- 1335 (i) Upon availability, each local school system and school shall comply with the quarterly
1336 S3 Database access review audit process developed by the office.
- 1337 (j) By August 1, 2026, and annually thereafter, the office shall provide role-based training
1338 to all authorized local school system and school personnel.

1339 (k) Any individual who accesses, uses, or releases any S3 record for a purpose not
1340 specifically authorized by law commits a noncriminal infraction, punishable by a fine not
1341 to exceed \$2,000.00.

1342 20-2-1186.6.

1343 The office shall provide technical assistance to ensure each local school system establishes
1344 school safety best practices, which shall include:

1345 (1) Each local school system shall designate a school safety director for such local school
1346 system. The school safety director shall be a school administrator employed by such
1347 local school system, a law enforcement officer employed by such local school system,
1348 a law enforcement officer employed by the sheriff's office of the county where such local
1349 school system is primarily located, or a law enforcement officer employed by the city
1350 police department of the city where such local school system is primarily located. Any
1351 school safety director designated from a sheriff's office shall first be authorized and
1352 approved by the sheriff employing such law enforcement officer. Any school safety
1353 director designated from a sheriff's office remains the employee of the sheriff's office for
1354 purposes of compensation, insurance, workers' compensation, and other benefits
1355 authorized by law for a law enforcement officer employed by the sheriff's office. The
1356 sheriff and the local school superintendent shall determine by agreement the
1357 reimbursement for such costs, or may share the costs, associated with employment of the
1358 law enforcement officer as a school safety director. The school safety director shall earn
1359 a certificate of completion of the school safety director training provided by the office
1360 within one year after appointment and is responsible for the supervision and oversight for
1361 all school safety and security personnel, policies, and procedures in the local school
1362 system;

1363 (2) The school safety director, or his or her qualified designee, shall:

1364 (A) Annually review local school system policies and procedures for compliance with
1365 state law and rules. At least quarterly, the school safety director shall report to the local
1366 school superintendent and the local board of education any noncompliance by the local
1367 school system with laws or rules regarding school safety;

1368 (B) Provide the necessary training and resources to students and local school system
1369 staff in matters relating to youth mental health awareness and assistance; emergency
1370 procedures, including active shooter training; and school safety and security;

1371 (C) Serve as the local school system liaison with local public safety agencies and
1372 national, state, and community agencies and organizations in matters of school safety
1373 and security;

1374 (D) In collaboration with the appropriate public safety agencies, by October 1 of each
1375 year, conduct a school security risk assessment at each public school and private school
1376 by request. Based on the assessment findings, the local school system's school safety
1377 director shall provide recommendations to the local school superintendent and the local
1378 board of education which identify strategies and activities that the local board of
1379 education should establish, and the local school superintendent should implement, in
1380 order to address the findings and improve school safety and security. Each local board
1381 of education shall receive such findings and the school safety director's
1382 recommendations at a publicly noticed local board of education meeting to provide the
1383 public an opportunity to hear the local board of education members discuss and take
1384 action on the findings and recommendations. Each school safety director, through the
1385 local school superintendent, shall report such findings and school board action to the
1386 office within 30 days after the local board of education meeting;

1387 (E) Conduct annual unannounced inspections, using the form adopted by the office and
1388 the local school system, of all public schools while school is in session and investigate
1389 reports of noncompliance with school safety requirements to the local school
1390 superintendent;

- 1391 (F) Report violations of school safety requirements by educators to the local school
1392 superintendent, as applicable; and
- 1393 (G) By October 1 of each year, the school safety director shall hold a public meeting
1394 with parents to inform them of school safety policies and to hear their input. Such
1395 meeting may include other school officials, law enforcement officers, and the local
1396 mental health coordinator;
- 1397 (3) Each local school superintendent shall identify a mental health coordinator for the
1398 local school system. The mental health coordinator shall serve as the local school
1399 system's primary point of contact regarding the local school system's coordination,
1400 communication, and implementation of student mental health policies, procedures,
1401 responsibilities, and reporting, including:
- 1402 (A) Coordinating with the office;
- 1403 (B) Maintaining records and reports regarding student mental health as it relates to
1404 school safety;
- 1405 (C) Facilitating the implementation of local school system policies relating to the
1406 respective duties and responsibilities of the local school system, the local school
1407 superintendent, and local school system principals;
- 1408 (D) Coordinating with the school safety director on the staffing and training of threat
1409 assessment teams and facilitating referrals to mental health services, as appropriate, for
1410 students and their families;
- 1411 (E) Coordinating with the school safety director on the training and resources for
1412 students and local school system staff relating to youth mental health awareness and
1413 assistance; and
- 1414 (F) Reviewing annually the local school system's policies and procedures related to
1415 student mental health for compliance with state law and alignment with current best
1416 practices and making recommendations, as needed, for amending such policies and
1417 procedures to the local school superintendent and the local board of education;

1418 (4) Each school safety director shall coordinate with the appropriate public safety
1419 agencies that are designated as first responders to a school's campus to conduct an
1420 inspection of such campus once every three years and provide recommendations related
1421 to school safety. The office may be utilized to help coordinate and participate in these
1422 inspections. The recommendations by the public safety agencies shall be considered as
1423 part of the recommendations by the school safety director pursuant to paragraph (A) of
1424 paragraph (2) of this subsection;

1425 (5) Each local board of education shall adopt, in coordination with local law enforcement
1426 agencies and local governments, a family reunification plan to reunite students and
1427 employees with their families in the event that a school is closed or unexpectedly
1428 evacuated due to a natural or manmade disaster. Such reunification plan shall be
1429 reviewed annually and updated, as applicable;

1430 (6)(A) Except as otherwise provided in a school safety plan that meets the
1431 requirements of Code Section 20-2-1185, by August 1, 2026, each local school system
1432 shall comply with the following school safety requirements:

1433 (i) All exterior doors or other access points that restrict ingress to or egress from a
1434 school campus shall remain closed and locked at all times. An exterior door or other
1435 campus access point may not be open or unlocked, regardless of whether it is during
1436 normal school hours, unless attended or actively monitored by a school staff member
1437 or the use is in accordance with a shared use agreement;

1438 (ii) All school classrooms and other instructional spaces shall be locked to prevent
1439 ingress when occupied by students, except between class periods when students are
1440 moving between classrooms or other instructional spaces. If a classroom or other
1441 instructional space door shall be left unlocked or open for any reason other than
1442 between class periods when students are moving between classrooms or other
1443 instructional spaces, the door shall be actively staffed by a person standing or seated
1444 at the door;

1445 (iii) All campus access doors and other access points that allow ingress to or egress
1446 from a school building shall remain closed and locked at all times to prevent ingress,
1447 unless a person is actively entering or exiting the door or other access point. All
1448 campus access doors, gates, and other access points may be electronically or manually
1449 controlled by school personnel to allow access by authorized visitors, students, and
1450 school personnel; and

1451 (iv) All school classrooms and other instructional spaces shall clearly and
1452 conspicuously mark the safest areas in each classroom or other instructional space
1453 where students may shelter in place during an emergency. Students shall be notified
1454 of these safe areas within the first ten days of the school year. The office shall assist
1455 the school safety director with compliance during inspections.

1456 (B) Persons who are aware of a violation of this paragraph shall report the violation to
1457 the school principal. The school principal shall report the violation to the school safety
1458 director no later than the next business day after receiving such report. If the person
1459 who violated this paragraph is the school principal, the report shall be made directly to
1460 the local school superintendent, as applicable; and

1461 (7) Each local board of education shall adopt a progressive discipline policy for
1462 addressing any educator as defined in Code Section 20-2-982.1 who knowingly violates
1463 school safety requirements.

1464 20-2-1186.7.

1465 The office shall ensure that each local school system establishes a threat management team
1466 at each school whose duties include the coordination of resources and assessment of and
1467 intervention with students whose behavior may pose a threat to themselves or the safety of
1468 the school, school staff, or other students. Each school's threat management team shall
1469 adhere to the following requirements:

- 1470 (1) Upon the availability of a state-wide behavioral threat management operational
1471 process, all threat management teams shall use the operational process;
- 1472 (2) A threat management team shall be formed at the discretion of the local school
1473 superintendent and local sheriff's office, and shall include persons with expertise in
1474 counseling, mental health instruction, school administration, and law enforcement. All
1475 members of the threat management team shall be involved in the threat assessment and
1476 threat management process and final decision making. At least one member of the threat
1477 management team shall have personal familiarity with the individual who is the subject
1478 of the threat assessment, and if such individual has an Individualized Education Program
1479 (IEP) plan or a Section 504 plan, at least one member of the threat management team
1480 shall have personal familiarity with such plan. If no member of the threat management
1481 team has such familiarity, an educator, as defined in Code Section 20-2-982.1, who is
1482 personally familiar with the individual who is the subject of the threat assessment shall
1483 consult with the threat management team for the purpose of assessing the threat. The
1484 educator who provides such consultation shall not participate in the decision-making
1485 process;
- 1486 (3) The threat management team shall identify members of the school community to
1487 whom threatening behavior should be reported and provide guidance to students, faculty,
1488 and staff regarding recognition of threatening or aberrant behavior that may represent a
1489 threat to the community, school, or self;
- 1490 (4) Upon the availability of the state-wide behavioral threat assessment indicator, all
1491 threat management teams shall use that indicator when evaluating the behavior of
1492 students who may pose a threat to the school, school staff, or students and to coordinate
1493 intervention and services for such students;
- 1494 (5) Upon a preliminary determination that a student poses a threat of violence or physical
1495 harm to himself or herself or others, a threat management team shall immediately report
1496 its determination to the local school superintendent or his or her designee, local law

1497 enforcement, and the office. The local school superintendent or his or her designee shall
1498 immediately attempt to notify the student's parent or legal guardian and will determine
1499 who within the threat management team is the most appropriate to handle the situation.
1500 Nothing in this subsection precludes the local school system from acting immediately to
1501 address an imminent threat;

1502 (6) Upon a preliminary determination by the threat management team that a student
1503 poses a threat of violence to himself or herself or others or exhibits significantly
1504 disruptive behavior or need for assistance, authorized members of the threat management
1505 team shall submit a report to the office, who will use the S3 Database to complete its own
1506 report based on all available state resources on the individual of concern. A member of
1507 a threat management team may not disclose any information gathered during the creation
1508 of the report, gathered on the individual of concern from the office, or otherwise use any
1509 record of an individual beyond the purpose for which such disclosure was made to the
1510 threat management team;

1511 (7) Notwithstanding any other provision of law, all state and local agencies and programs
1512 that provide services to students experiencing or at risk of demonstrating behavior which
1513 indicates they may harm themselves or others, including, but not limited to, local school
1514 systems, school personnel, state and local law enforcement agencies, the Department of
1515 Juvenile Justice, the Department of Human Services, the Division of Family and Children
1516 Services, the Department of Education, the Office of the Child Advocate for the
1517 Protection of Children, and any service or support provider contracting with such
1518 agencies, should submit concerns to the office using the S3 Database to ensure the safety
1519 of the student or others;

1520 (8) If an immediate mental health or substance abuse crisis is suspected, school
1521 personnel shall follow steps established by the threat management team to engage
1522 behavioral health crisis resources. Behavioral health crisis resources, including, but not
1523 limited to, mobile crisis teams and school resource officers trained in crisis intervention,

1524 shall provide emergency intervention and assessment, make recommendations, and refer
1525 the student for appropriate services. Onsite school personnel shall report all such
1526 situations and actions taken to the threat management team, which shall contact the other
1527 agencies involved with the student and any known service providers to share information
1528 and coordinate any necessary follow-up actions. Upon the student's transfer to a different
1529 school within the same local school system, the threat management team of the receiving
1530 school shall verify that any intervention services provided to the student at the previous
1531 school remain in place until the threat management team of the receiving school
1532 independently determines the need for intervention services. Upon the student's transfer
1533 to a school outside of such local school system, the threat management team at the
1534 receiving school shall be provided access to the student's critical records as needed to
1535 determine the need for intervention services;

1536 (9) If human trafficking or gang affiliation is suspected, school personnel shall follow
1537 steps established by the threat management team to seek law enforcement assistance and
1538 to identify appropriate interventions for the safety of the student from outside criminal
1539 syndicates;

1540 (10) The threat management team shall prepare a threat assessment report required by
1541 the state-wide behavioral threat assessment indicator. A threat assessment report, all
1542 corresponding documentation, and any other information required by the state-wide
1543 behavioral threat assessment indicator shall be submitted to the office through the S3
1544 Database. Reports, tips, and information submitted into the S3 Database shall become
1545 an S3 record; and

1546 (11) Each local board of education shall establish a threat management coordinator to
1547 serve as the primary point of contact regarding the local school system's coordination,
1548 communication, and implementation of the threat management program and to report
1549 quantitative data to the office.

1550 20-2-1186.8.

1551 By August 1 of each year, the office shall:

1552 (1) Evaluate each local school system's use of the state-wide behavioral threat
1553 management operational process, the state-wide behavioral threat assessment indicator,
1554 and the S3 Database for compliance with this part;

1555 (2) Notify the local school superintendent, as applicable, if the use of the state-wide
1556 behavioral threat management operational process, the state-wide behavioral threat
1557 assessment indicator, or the S3 Database is not in compliance with this part; and

1558 (3) Report any issues of ongoing noncompliance with this part to the commissioner of
1559 Juvenile Justice and the local school superintendent, as applicable.

1560 20-2-1186.9.

1561 (a)(1) By August 1, 2025, the office shall develop and adopt a school safety compliance
1562 inspection report to document compliance or noncompliance with school safety
1563 requirements mandated by law, rule, or regulation and adherence to established school
1564 safety best practices to evaluate the safety, security, and emergency response of the
1565 school.

1566 (2) Upon the adoption of the report and upon any revisions to the report, the office shall
1567 provide a blank copy of such report to each local school superintendent.

1568 (b) The office shall monitor compliance with requirements relating to school safety by
1569 local school systems and schools. The office shall conduct unannounced inspections of all
1570 public schools while school is in session, triennially, and investigate reports of
1571 noncompliance with school safety requirements. Within three school days after the
1572 unannounced inspection, the office shall provide a copy of the completed school safety
1573 compliance inspection report, including any photographs or other evidence of
1574 noncompliance, to the school safety director; the school principal, as appropriate, and the
1575 local school superintendent. The school safety director shall acknowledge, in writing,

1576 receipt of the report within one school day after receipt. The office shall reinspect any
1577 school with documented deficiencies within six months. The school safety director, or his
1578 or her designee, shall provide the office with written notice of how the noncompliance has
1579 been remediated within three school days after receipt of the report.

1580 (c) The office shall provide quarterly reports to each local school superintendent and school
1581 safety director identifying the number and percentage of schools inspected or reinspected
1582 during that quarter and the number and percentage of inspected schools that had no school
1583 safety requirement deficiencies. Annually, during the first quarter of every school year, the
1584 school safety director shall report to the local board of education in a public meeting the
1585 number of schools inspected during the preceding calendar year and the number and
1586 percentage of schools in compliance during the initial inspection and reinspection."

1587

SECTION 23.

1588 Code Section 16-11-37 of the Official Code of Georgia Annotated, relating to terroristic
1589 threats and acts and penalties, is amended by revising paragraph (1) of subsection (d) and by
1590 adding new subsections to read as follows:

1591 "(d)(1) A person convicted of the offense of a terroristic threat shall be punished as for
1592 a misdemeanor; provided, however, that, if the threat suggested the death of the
1593 threatened individual or threatened the death of, or serious injury to, a group of
1594 individuals who are or will likely be at or within a school, the person convicted shall be
1595 guilty of a felony and shall be punished by a fine of not more than \$1,000.00,
1596 imprisonment for not less than one nor more than five years, or both."

1597 "(f) Any parent or legal guardian who intentionally advises, counsels, encourages, aids, or
1598 abets his or her minor child in the commission of an offense prohibited by paragraph (1)
1599 of subsection (d) of this Code section, relating to threatening the death of, or serious injury
1600 to, a group of individuals who are or will likely be at or within a school, shall be deemed
1601 a person concerned in the commission of such offense, as provided for in Code Section

1602 16-2-20, and may be charged with and convicted of the commission of such offense as a
1603 party thereto.

1604 (g) Whenever there is a credible accusation that a person threatened, whether verbally, in
1605 writing, or otherwise, the death of, or serious injury to, a group of individuals, pursuant to
1606 paragraph (1) of subsection (d) of this Code section, who are or will likely be at or within
1607 a school and that the person who made the threat is enrolled in the school, such school shall
1608 immediately reassign such person to remote learning and provide him or her with
1609 counseling while the school and other parties investigate the allegation or information
1610 related to the threat. Once the school has made a substantive finding related to the threat,
1611 it may discontinue the remote learning assignment and impose relevant discipline, as
1612 appropriate."

1613

SECTION 24.

1614 Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to
1615 inspection of public records, is amended in Code Section 50-18-72, relating to when public
1616 disclosure not required, by striking "or" at the end of paragraph (51), by replacing the period
1617 with "; and" at the end of paragraph (52), and by adding a new paragraph to read as follows:

1618 "(53) Information held in the School and Student Safety Database provided for in Part 2
1619 of Article 27 of Chapter 2 of Title 20 or by a threat management team established by a
1620 local school system relating to the assessment of or intervention with an individual of
1621 concern."

1622

SECTION 25.

1623 This Act shall become effective upon its approval by the Governor or upon its becoming law
1624 without such approval.

1625

SECTION 26.

H. B. 268 (SUB)

1626 All laws and parts of laws in conflict with this Act are repealed.