

House Bill 268 (RULES COMMITTEE SUBSTITUTE)

By: Representatives Persinger of the 119th, Efstration of the 104th, Gaines of the 120th, Burns of the 159th, Erwin of the 32nd, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to provide for the safety, health, and well-being
3 of students and school communities; to provide for reimbursement grants to local school
4 systems that hire qualified behavioral health coordinators; to provide for youth violence and
5 suicide awareness and prevention training requirements, including Tier 1 and Tier 2
6 behavioral health training; to require public school safety plans to be updated with behavioral
7 threat assessment management plans; to require positive behavioral interventions and
8 supports and response to intervention programs and initiatives for certain low-performing
9 elementary and secondary and middle schools; to provide for the transfer of student records
10 and other information among schools, law enforcement agencies, and other agencies with
11 legal interests in students; to repeal references to the Department of Behavioral Health and
12 Developmental Disabilities as legal custodian of school age children and to make conforming
13 changes; to require memoranda of understanding between certain state agencies and local
14 units of administration to include provisions relevant to the disclosure of student information;
15 to provide for the release of student information from certain state agencies to local units of
16 administration; to authorize RESAs to participate in dispute resolution procedures; to provide
17 for the designation of RESA student affairs officers; to provide for the Department of
18 Education's chief privacy officer to promulgate a guidance document relevant to sharing

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

46 collect and integrate data to evaluate the behavior of students who may pose a threat to the
47 school, school staff, or students, to provide and coordinate state resources to assist local
48 school systems to make timely and methodical school based threat assessment and
49 management decisions, and to help local districts coordinate intervention and services for
50 such students; to evaluate each local school system's use of the state-wide behavioral threat
51 management operational process; to adopt a school safety compliance inspection report; to
52 ensure the S3 Database provides local school systems and their threat management teams
53 with all available data pertaining to their jurisdiction; to provide for a process for the closure
54 of a student's case from the S3 database; to provide all of the aforementioned services and
55 assistance to private schools upon request; to provide for de-identified and disaggregated
56 reports of S3 records, student discipline records, and student attendance; to provide for a
57 short title; to provide for definitions; to amend Code Section 16-11-37 of the Official Code
58 of Georgia Annotated, relating to terroristic threats and acts and penalties, so as to provide
59 for the offense of threatening the death of or serious injury to individuals who are or likely
60 to be at school; to provide for parents and legal guardians to be charged as a person
61 concerned in the commission of such offense; to amend Article 4 of Chapter 18 of Title 50
62 of the Official Code of Georgia Annotated, relating to inspection of public records, so as to
63 provide for an exemption; to provide for related matters; to provide for an effective date; to
64 repeal conflicting laws; and for other purposes.

65 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

66 **SECTION 1.**

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

H. B. 268 (SUB)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 2.

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

"20-2-192.

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

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

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

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

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

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

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

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

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

(A) Coordinating the efforts of the local school system to identify and facilitate appropriate interventions for students with or at risk for mental health concerns, including, but not limited to, telehealth services;

(B) Coordinating, documenting, evaluating, and reporting the outcomes of Tier 1 and Tier 2 behavioral health training programs and materials of the local school system, including, but not limited to, such training programs and materials as provided for in Code Section 20-2-779.1; and

(C) Attending information and training meetings relating to school safety and student behavioral health provided or facilitated by the Georgia Emergency Management and Homeland Security Agency or the Department of Behavioral Health and Developmental Disabilities.

(f) This Code section shall not apply to the Department of Juvenile Justice or its school system.

(g) Nothing in the Code section shall be construed to prohibit local school systems from hiring or contracting with behavioral health coordinators using other funds available for such purpose."

SECTION 3.

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

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

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

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

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

SECTION 6.

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

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

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

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

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

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

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

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

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

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

SECTION 7.

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

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

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

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

396 **SECTION 8.**

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

400 "20-2-670.

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

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

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

407 (B) Academic transcript;

408 (C) Attendance records;

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

(i) Disciplinary order of short-term suspension, long-term suspension, or expulsion made pursuant to Code Section 20-2-751.2;

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

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

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

or

(v) Report of the commission of a prohibited act made pursuant to Code Section 20-2-1184;

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

(F) An Individualized Education Program (IEP) pursuant to the federal Individuals with Disabilities Education Act or a plan under Section 504 of the federal Rehabilitation Act of 1973, if any; and

(G) Psychological evaluations, if any.

(2) 'Education records' means any record that is maintained by a local education agency, a public or private elementary or secondary school, the Department of Juvenile Justice school system, or a party acting on behalf of such entity and is directly related to a student. Such term shall include, but shall not be limited to, records of such student's enrollment, attendance, class schedules, academic transcripts, grades, student discipline, student financial information, health records, special education records, and psychological evaluations. Such term shall include the student's critical records.

(3) 'Governing body' means the local board of education, governing council, governing board, Board of Juvenile Justice, or other entity by whatever name responsible for creating and implementing the budget of a local education agency or a public or private school.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

or

(iv) Report of the commission of a prohibited act made pursuant to Code Section 20-2-1184; and

(2) Either:

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

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

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

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

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

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

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

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

516 (1) A list of class A designated felony acts or class B designated felony acts;

517 (2) A list of the prohibited acts identified in Code Section 20-2-1184; and

518 (3) A description of each of the following:

519 (A) Notice of a disciplinary hearing pursuant to Code Section 20-2-754;

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

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

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

523 and

524 (E) Report of the commission of a prohibited act made pursuant to Code Section
525 20-2-1184.

526 (e) Each time a transferring student's education records, including, but not limited to
527 critical records, are transferred to a receiving school, such student's parent or legal
528 custodian shall be notified in writing by the receiving school of the transfer of such records
529 and shall, upon written request made within five days of the date of such notice, be entitled
530 to receive a copy of such records from the receiving school. Within five days of the receipt
531 of a copy of such records, such student's parent or legal custodian may make a written
532 request for and shall be entitled to a meeting with the principal of the sending school or of
533 the receiving school or his or her designee for the purpose of correcting the content of such
534 records as provided in Code Section 20-2-667. The parties may mutually agree for such
535 meeting to occur at a date and time outside of such five-day period.

536 (f)(1) Except as provided in paragraph (2) of this subsection, each sending school in this
537 state shall immediately release a student's complete education record to any parent, legal
538 custodian, receiving school, or another person or entity legally authorized to receive such
539 records upon request by such requestor and under no circumstances later than 5:00 P.M.
540 on the third business day following the date of such request.

541 (2) In the event that any portion of such student's education record is not maintained in
542 electronic format, the sending school shall transfer all of the student's education records

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 9.

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

"20-2-671.

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

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

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

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

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

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

(b) Such information shall be kept confidential."

SECTION 10.

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

"20-2-700.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 11.

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

"20-2-720.

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

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

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

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

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

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

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

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

SECTION 12.

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

"20-2-741.

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

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

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

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

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

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

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

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

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

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

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

SECTION 13.

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

"20-2-757.

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

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

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

SECTION 14.

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

"20-2-766.1.

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

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

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

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

SECTION 15.

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

"20-2-779.1.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) Foster opportunities for student leadership development; and

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

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

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

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

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

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

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

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

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

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

(H) Comply with all federal and state laws.

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

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

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

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

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

934 **SECTION 16.**

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

937 "20-2-785.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 17.

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

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

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

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

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

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

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

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

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

SECTION 18.

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

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

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

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

SECTION 19.

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

"20-2-1183.

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

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

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

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

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

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

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

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

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

SECTION 20.

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

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

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

- (1) Training school administrators, teachers, and support staff, including, but not limited to, school resource officers, security officers, secretaries, custodians, and bus drivers, on school violence prevention, school security, school threat assessment, mental health awareness, and school emergency planning best practices;
- (2) Evaluating and refining school security measures;
- (3) Updating and exercising school emergency preparedness plans;
- (4) Strengthening partnerships with public safety officials; ~~and~~
- (5) Creating enhanced crisis communications plans and social media strategies;
- (6) Addressing behavioral health needs of students and staff utilizing guidance from the Department of Behavioral Health and Developmental Disabilities; and

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

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

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

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

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

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

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

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

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

SECTION 21.

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

"20-2-1185.1.

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

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

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

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

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

SECTION 22.

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

"Part 2

20-2-1186.

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

20-2-1186.1.

As used in this part, the term:

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

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

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

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

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

20-2-1186.2.

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

(b) The office shall operate within the agency.

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

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

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

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

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

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

1210 (6) Review and provide recommendations on the security risk assessments;

1211 (7) Disseminate to participating schools awareness and education materials on the proper
1212 use of the 'See Something, Send Something' digital reporting application, including the
1213 consequences of knowingly submitting false information;

1214 (8) Develop a state-wide behavioral threat management operational process, a state-wide
1215 behavioral threat assessment indicator, and the S3 Database; and

1216 (9) Develop, in collaboration with the State Board of Education and the Department of
1217 Behavioral Health and Developmental Disabilities, and publish on its public website a
1218 process for a student or his or her parent or guardian to request the closure of such
1219 student's case from the S3 Database.

1220 (d) With respect to all student behavioral health components of the office's responsibilities
1221 provided for in subsection (c) of this Code section, the office shall obtain approval from
1222 the Department of Behavioral Health and Developmental Disabilities.

1223 20-2-1186.3.

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

1230 (1) The establishment and duties of threat management teams;

1231 (2) Defining behavioral risks and threats;

1232 (3) Evaluating the behavior of students who may pose a threat to the school, school
1233 personnel, or other students and to coordinate intervention and services for such students;

1234 (4) The use, authorized user criteria, and access specifications for information collected
1235 by the behavioral threat management teams;

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

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

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

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

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

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

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

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

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

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

20-2-1186.5.

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) The Department of Administrative Services;

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

(3) The Department of Education;

(4) The Department of Human Services;

(5) The Division of Family and Children Services;

(6) The Department of Juvenile Justice;

(7) The Georgia Bureau of Investigation;

(8) The Georgia Technology Authority;

(9) The mobile suspicious activity reporting tool known as 'See Something, Send Something'; and

(10) Local law enforcement agencies and their threat reporting systems.

(d) A local school system may request copies of S3 records of individuals of concern in that local school system for authorized local school system personnel.

(e) The parent of a student may request a copy of his or her student's S3 record, but the request shall not be considered if said parent's parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access.

(f) To maintain the confidentiality requirements attached to the information provided to the S3 Database by the various state and local agencies, each source agency providing data to the S3 Database shall be the sole custodian of the data for the purpose of any request for inspection or copies thereof under Code Section 50-18-72.

(g) The S3 Database shall comply with the requirements and standards established by the Federal Bureau of Investigation's Criminal Justice Information Services Security Policy.

(h) The office shall develop and implement a quarterly S3 Database access review audit process.

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

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

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

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

20-2-1186.6.

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

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

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

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

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

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

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

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

1393 local school superintendent, shall report such findings and school board action to the
1394 office within 30 days after the local board of education meeting;
1395 (E) Conduct annual unannounced inspections, using the form adopted by the office and
1396 the local school system, of all public schools while school is in session and investigate
1397 reports of noncompliance with school safety requirements to the local school
1398 superintendent;
1399 (F) Report violations of school safety requirements by educators to the local school
1400 superintendent, as applicable; and
1401 (G) By October 1 of each year, the school safety director shall hold a public meeting
1402 with parents to inform them of school safety policies and to hear their input. Such
1403 meeting may include other school officials, law enforcement officers, and the local
1404 mental health coordinator;
1405 (3) Each local school superintendent shall identify a mental health coordinator for the
1406 local school system. The mental health coordinator shall serve as the local school
1407 system's primary point of contact regarding the local school system's coordination,
1408 communication, and implementation of student mental health policies, procedures,
1409 responsibilities, and reporting, including:
1410 (A) Coordinating with the office;
1411 (B) Maintaining records and reports regarding student mental health as it relates to
1412 school safety;
1413 (C) Facilitating the implementation of local school system policies relating to the
1414 respective duties and responsibilities of the local school system, the local school
1415 superintendent, and local school system principals;
1416 (D) Coordinating with the school safety director on the staffing and training of threat
1417 assessment teams and facilitating referrals to mental health services, as appropriate, for
1418 students and their families;

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

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

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

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

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

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

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

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

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

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

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

20-2-1186.7.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1558 20-2-1186.8.

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

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

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

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

1568 20-2-1186.9.

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

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

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

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

20-2-1186.10.

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

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

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

(A) Short-term suspensions;

(B) Long-term suspensions;

(C) Expulsions;

(D) In-school suspensions;

(E) Out-of-school suspensions;

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

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

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

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

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

SECTION 23.

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

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

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

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

1642 **SECTION 24.**

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

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

1651 **SECTION 25.**

1652 This Act shall become effective upon its approval by the Governor or upon its becoming law
1653 without such approval.

1654 **SECTION 26.**

1655 All laws and parts of laws in conflict with this Act are repealed.