

Senate Bill 179

By: Senators Dixon of the 45th, Gooch of the 51st, Cowser of the 46th, Kennedy of the 18th, Ginn of the 47th 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 require that the academic and disciplinary
3 records of each transferring student shall be provided by such student's previous school to
4 the receiving school within five days; to reduce the number of days by which a parent or
5 guardian of a transferring student shall receive copies of such records; to require written
6 reports to school officials and parents or guardians of official encounters of law enforcement
7 officers with school age youth, subject to exceptions; to provide for evidence based suicide
8 awareness and training programs and a state-wide anonymous reporting program; to provide
9 for evidence based youth violence prevention training programs; to provide for student
10 violence prevention clubs; to provide for local policies for anonymous reporting; to provide
11 for the criminal offenses of terroristic threat of a school and terroristic act upon a school; to
12 provide for penalties; to provide for definitions; to provide for related matters; to provide for
13 an effective date and applicability; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15

SECTION 1.

16 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
17 secondary education, is amended in Code Section 20-2-670, relating to requirements for
18 transferring students beyond sixth grade, conditional admission, and compliance, by revising
19 subsections (b) and (c) as follows:

20 "(b) In lieu of complying with the provision of subsection (a) of this Code section, a
21 transferring student may be admitted on a conditional basis if he or she and his or her
22 parent or legal guardian execute a document providing the name and address of the school
23 last attended and authorizing the release of all academic and disciplinary records to the
24 school administration. Such records shall be transferred within five days of the execution
25 of such document. The parent or guardian shall be notified of the transfer of such records
26 and shall, upon written request ~~made within ten days of such notice~~, be entitled to receive
27 a copy of such records within five days. Within five days of the receipt of a copy of such
28 records, the parent or guardian may make a written request for and shall be entitled to a
29 hearing before the principal of the school or his or her designee which is the custodian of
30 such records for the purpose of challenging the content of the records. The student or his
31 or her parent or legal guardian shall also disclose on the same document as the release
32 whether the child has ever been adjudicated guilty of the commission of a class A
33 designated felony act or class B designated felony act, as defined in Code Section 15-11-2
34 and, if so, the date of such adjudication, the offense committed, the jurisdiction in which
35 such adjudication was made, and the sentence imposed. Any form document to authorize
36 the release of records which is provided by a school to a transferring student or such
37 student's parent or legal guardian shall include a list of class A designated felony acts or
38 class B designated felony acts. The student or his or her parent or legal guardian shall also
39 disclose on the document whether the student is currently serving a suspension or expulsion
40 from another school, the reason for such discipline, and the term of such discipline. If a
41 student so conditionally admitted is found to be ineligible for enrollment pursuant to the

42 provisions of Code Section 20-2-751.2, or is subsequently found to be so ineligible, he or
 43 she shall be dismissed from enrollment until such time as he or she becomes so eligible.
 44 (c) Every school system in this state shall be obligated to provide complete information
 45 to a requesting school pursuant to subsection (b) of this Code section within ~~ten~~ five days
 46 of receipt of such request."

47 **SECTION 2.**

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

50 "20-2-700.

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

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

57 (2) 'School official' means a local school superintendent or his or her designee or a
 58 school principal or other school administrator.

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

64 (c) Within seven days of a felony arrest of a school age youth in this state, the arresting
 65 agency shall provide a written report of such felony arrest to a school official of the public
 66 or private school in which such school age youth is currently enrolled or would be enrolled
 67 by virtue of his or her primary residence and to his or her parent or guardian."

68

SECTION 3.

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

71 "20-2-779.1.

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

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

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

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

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

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

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

85 (1) All ~~all~~ certificated public school personnel receive annual training in suicide
86 awareness and prevention. This training shall be provided within the framework of
87 existing in-service training programs offered by the Department of Education or as part
88 of required professional development offered by a local school system;

89 (2) Beginning in the 2026-2027 school year, and continuing each school year thereafter,
90 all public schools serving students in grades six through 12 which receive funds in any
91 manner from the state shall provide to students at least one hour of evidence based
92 suicide awareness and prevention training each school year. Such training may be
93 delivered in person, remotely, or digitally and may be included as part of the health and

94 physical education course of study provided for in subsection (c) of Code
95 Section 20-2-142; and

96 (3) All public schools serving students in any one of grades six through 12 which receive
97 funds in any manner from the state shall provide to students at least one hour of evidence
98 based youth violence prevention training each school year. Such training may be
99 delivered in person, remotely, or digitally and may be included as part of the health and
100 physical education course of study provided for in subsection (c) of Code
101 Section 20-2-142.

102 ~~(2)(c)(1)~~ The Department of Education shall, in consultation with the Department of
103 Behavioral Health and Developmental Disabilities, the Suicide Prevention Program
104 established pursuant to Code Section 37-1-27, and suicide prevention experts, develop
105 a list of approved evidence based training materials to fulfill the requirements of ~~this~~
106 paragraph (1) of subsection (b) of this Code section which may include training materials
107 currently being used by a local school system if such training materials meet any criteria
108 established by the department. Such materials shall include training on how to identify
109 appropriate mental health services, both within the school and also within the larger
110 community, and when and how to refer youth and their families to those services. Such
111 materials may include programs that can be completed through self-review of suitable
112 suicide prevention materials.

113 ~~(3) Approved materials shall include training on how to identify appropriate mental~~
114 ~~health services, both within the school and also within the larger community, and when~~
115 ~~and how to refer youth and their families to those services.~~

116 ~~(4) Approved materials may include programs that can be completed through self-review~~
117 ~~of suitable suicide prevention materials.~~

118 (2) By January 1, 2026, the Department of Education shall, in consultation with the
119 Department of Behavioral Health and Developmental Disabilities and the Suicide
120 Prevention Program established pursuant to Code Section 37-1-27, develop and post a list

121 of approved evidence based training materials, including no-cost programming, if any,
122 to fulfill the requirements of paragraph (2) of subsection (b) of this Code section. Such
123 materials shall, at a minimum:

124 (A) Teach students how to recognize the observable signs and signals of depression,
125 suicide, and self-injury in themselves and their peers; and

126 (B) Teach students the importance of seeking help for themselves and their peers, as
127 well as the process for seeking help.

128 (3) By January 1, 2026, the Department of Education shall, in consultation with the
129 Department of Behavioral Health and Developmental Disabilities and the Suicide
130 Prevention Program established pursuant to Code Section 37-1-27, develop a list of
131 approved evidence based training materials, including no-cost programming, if any, to
132 fulfill the requirements of paragraph (3) of subsection (b) of this Code section. Such
133 materials shall, at a minimum, include all of the following:

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

136 (B) The importance of taking threats seriously and seeking help; and

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

139 (4)(A) The Department of Education shall make the lists of approved evidence based
140 training materials required under this subsection, including no-cost programming, if
141 any, available on its public website.

142 (B) The Department of Education shall keep the lists of approved evidence based
143 training materials timely updated by reviewing such lists, at a minimum, every 36
144 months.

145 (5) To assist public schools and local school systems in developing their own policies
146 for student suicide awareness and prevention as provided for in this subsection, the
147 Department of Education, in consultation with the Department of Behavioral Health and

148 Developmental Disabilities and the Suicide Prevention Program established pursuant to
149 Code Section 37-1-27, shall establish a model policy for use by public schools and local
150 school systems in accordance with this Code section.

151 (6)(A) By July 1, 2026, the Department of Education shall develop and operate, or
152 contract with a provider to develop and operate, and make available to all schools in
153 this state a state-wide anonymous reporting program. Such anonymous reporting
154 program shall, at a minimum:

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

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

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

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

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

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

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

174 (viii) Comply with all federal and state laws.

175 (B)(i) In the first year in which the state-wide anonymous reporting program is
176 implemented, the Department of Education shall require all local school systems to
177 submit a report on the total number of disciplinary actions in the previous 12 months,
178 disaggregated by school, type of disciplinary action, and the gender and race of the
179 student subject to the disciplinary action.

180 (ii) Each year following the implementation of the state-wide anonymous reporting
181 program, the Department of Education shall require all local school systems to submit
182 annual reports documenting, at a minimum:

183 (I) The total number of tips received for the previous school year;

184 (II) The total number of tips received since the state-wide anonymous reporting
185 program began, disaggregated by school and for each school: tips by type, the
186 method by which the tip was received, and the total number of false reports
187 received; and

188 (III) The total number of responses to incoming tips, disaggregated by disciplinary
189 actions, nondisciplinary actions, interventions, and the gender and race of each
190 student subject to such actions or interventions.

191 (C) Not later than May 1, 2026, the Department of Education shall identify and
192 compile a state-wide data base that includes, at a minimum, the following identified
193 individuals for the purposes of implementing and coordinating the delivery of the
194 state-wide anonymous reporting program provided for in this paragraph:

195 (i) A designated point of contact within each local emergency 9-1-1 public safety
196 answering point; and

197 (ii) A designated point of contact within each school in this state, who shall be
198 responsible for managing the school based team.

199 (D) The Department of Education shall operate, or contract with a provider to operate,
200 the following:

201 (i) A public website which educates students on the availability of the state-wide
202 anonymous reporting program and which provides guidance on how and when to use
203 such program; and

204 (ii) A toll-free telephone hotline that can be used to provide anonymous tips
205 regarding dangerous, violent, threatening, harmful, or potentially harmful activity
206 which occurs on, or is threatened to occur on, school property or which relates to a
207 student or school personnel.

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

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

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

220 (C) Adopt policies, rules, and regulations for the implementation of the state-wide
221 anonymous reporting program provided for in paragraph (6) of subsection (c) of this
222 Code section; and

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

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

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

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

236 (C) Foster opportunities for student leadership development; and

237 (D) Have at least one administrator, teacher, or other school personnel serve as a
 238 faculty advisor. ~~(B) To assist local school systems in developing their own policies for~~
 239 student suicide prevention, the Department of Education, in consultation with the
 240 Suicide Prevention Program within the Department of Behavioral Health and
 241 Developmental Disabilities, shall establish a model policy for use by local school
 242 systems in accordance with this Code section.

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

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

248 **SECTION 4.**

249 Said chapter is further amended in Article 27, relating to loitering at or disrupting schools,
 250 by adding a new Code section to read as follows:

251 "20-2-1181.1.

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

253 (1) 'Hazardous substance' shall have the same meaning as set forth in Code Section
254 12-8-92.

255 (2) 'Weapon' shall have the same meaning as set forth in Code Section 16-5-44.1. Such
256 term shall include, but shall not be limited to, each item included in paragraph (4) of
257 subsection (a) of Code Section 16-11-127.1.

258 (b) A person commits the offense of a terroristic threat of a school when he or she
259 threatens to commit any crime of violence, release any hazardous substance, or burn or
260 damage property and such threat is made:

261 (1) With the purpose of terrorizing another who at the time of such threat is physically
262 present:

263 (A) On public or private school operated property, including, but not limited to, school
264 buildings and school grounds, or on a playground or recreational area that is adjacent
265 to such property and that is used primarily by persons under 18 years of age;

266 (B) On a school bus or other vehicle furnished by a public or private school for the
267 transportation of students; or

268 (C) At a public or private school sponsored activity;

269 (2) With the purpose of causing the evacuation of:

270 (A) Public or private school operated property, including, but not limited to, school
271 buildings and school grounds, or a playground or recreational area that is adjacent to
272 such property and that is used primarily by persons under 18 years of age; or

273 (B) A school bus or other vehicle furnished by a public or private school for the
274 transportation of students; or

275 (3) In reckless disregard of the risk of causing the terror or evacuation described in
276 paragraph (1) or (2) of this subsection.

277 (c) A person commits the offense of a terroristic act upon a school when he or she commits
278 an act of using a weapon or flaming symbol or flambeau, releasing any hazardous
279 substance or any simulated hazardous substance under the guise of a hazardous substance,

280 or, while not in the commission of a lawful act, shooting at or throwing an object at a
281 conveyance which is being operated or which is occupied by passengers and such act is
282 committed:

283 (1) With the purpose of terrorizing another who at the time of such act is physically
284 present:

285 (A) On public or private school operated property, including, but not limited to, school
286 buildings and school grounds, or on a playground or recreational area that is adjacent
287 to such property and that is used primarily by persons under 18 years of age;

288 (B) On a school bus or other vehicle furnished by a public or private school for the
289 transportation of students; or

290 (C) At a public or private school sponsored activity;

291 (2) With the purpose of causing the evacuation of:

292 (A) Public or private school operated property, including, but not limited to, school
293 buildings and school grounds, or a playground or recreational area that is adjacent to
294 such property and that is used primarily by persons under 18 years of age; or

295 (B) A school bus or other vehicle furnished by a public or private school for the
296 transportation of students; or

297 (3) In reckless disregard of the risk of causing the terror or evacuation described in
298 paragraph (1) or (2) of this subsection.

299 (d)(1) A person convicted of the offense of a terroristic threat of a school shall be
300 punished as for a misdemeanor; provided, however, that, if the threat suggested the death
301 of any person, the person shall be guilty of a felony and upon conviction thereof shall be
302 punished by a fine of not more than \$1,000.00, imprisonment for not less than one nor
303 more than five years, or both; and provided, further, that, if any person suffers a serious
304 physical injury as a direct result of a threat giving rise to a conviction under
305 subsection (b) of this Code section, the person shall be guilty of a felony and upon

306 conviction thereof shall be punished by a fine of not more than \$250,000.00,
307 imprisonment for not less than five nor more than 40 years, or both.

308 (2) A person convicted of the offense of a terroristic act upon a school shall be guilty of
309 a felony and upon conviction thereof shall be punished by a fine of not more than
310 \$5,000.00, imprisonment for not less than one nor more than ten years, or both; provided,
311 however, that, if any person suffers a serious physical injury as a direct result of an act
312 giving rise to a conviction under subsection (c) of this Code section, the person shall be
313 guilty of a felony and upon conviction thereof shall be punished by a fine of not more
314 than \$250,000.00, imprisonment for not less than five nor more than 40 years, or both."

315 **SECTION 5.**

316 This Act shall become effective upon its approval by the Governor or upon its becoming law
317 without such approval and shall apply to all offenses committed on or after the effective date
318 of this Act.

319 **SECTION 6.**

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