



GEORGIA ACCOUNTING
INFORMATION NETWORK SUPPORT

2025 LEGAL UPDATE

Presented By:

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LAST YEAR

O.C.G.A. § 20-2-324

Protecting Georgia's

Children On Social Media

Act Of 2024



O.C.G.A. § 20-2-324

- By 10/1/25, each governing body and superintendent shall take “necessary and appropriate” steps to implement and enforce an acceptable use policy that:
- Prevents and prohibits school equipment from being used for accessing, sending, receiving, viewing or downloading obscene materials, pornography, material that is harmful to minors
- Establish appropriate measures to respond to students who violate policy whether at school or not and any other person who violates the policy
- Develop administrative procedures to respond to complaints of violations quickly and in writing
- Provide ways for parents to confer and collaborate

O.C.G.A. § 20-2-324

- Each school/District shall submit a copy of its acceptable use policy to the SBOE by 10/15/25 and annually thereafter
- Must identify the technology protection measures used to block obscene material, child pornography or material that is harmful to minors.
- SBOE will review and if it determines the policy or technology protection measures are not reasonably designed to achieve the requirements of the code section will send letter to District providing 30 days to correct problems;

O.C.G.A. § 20-2-324

- SBOE can withhold a portion of state funding allotted to School District that:
 - Fails to timely submit an acceptable-use policy or technology protection measure
 - Submits an acceptable-use policy that is not reasonably designed to achieve the requirements of this Code section; or
 - Is not enforcing or is substantially disregarding its acceptable-use policy;
 - Is using technology protection measures which do not meet or exceed standards and specifications established by the department to block access to material
 - Is not using any technology protection measures to block access to material
- The decision to withhold funding can be appealed to Superior Court.
- This cannot be waived.

Protecting Georgia's Children on Social Media Act of 2024

Senate Bill 351

O.C.G.A. §§ 20-2-149, 324, 324.7, 751.4, 754

Protecting Georgia's Children on Social Media Act of 2024

O.C.G.A. § 20-2-149(a)(2)(A)

- Requires GADOE to develop model programs for students regarding online safety
- Model programs for students in grades 6-12 include instruction on:
 - (i) The social, emotional, and physical effects of social media on users;
 - (ii) The effects of social media on the mental health of users, particularly teenagers;
 - (iii) The distribution of disinformation and misinformation on social media;
 - (iv) How social media influences thoughts and behaviors;



Protecting Georgia's Children on Social Media Act of 2024



- (v) The permanency and risks of sharing materials online;
 - (vi) How to maintain personal security and identify cyberbullying, predatory behavior, and human trafficking on the internet and social media; and
 - (vii) How to report suspicious behavior encountered on the internet and social media to appropriate persons and authorities; and
- (B) May include information regarding the benefits of social media use, such as supporting career readiness for future academic or employment opportunities, sharing information with familiar family and friends, and safely connecting with other users with similar interests.
- GaDOE shall update the programs “periodically”
 - LBOE’s may incorporate a component into its instructional programs

O.C.G.A. § 20-2-324 cont'd



- District shall adopt technology protection measures that meet or exceed SDOE standards and specifications
- Parent may get copy of policy on request and starting 2025-26 the DOE's compliance measures should include “measures and controls for parents of current students to supervise and manage appropriate internet access by such students who are using a school issued computer or other electronic device while not [at school]”

O.C.G.A. § 20-2-324

- GaDOE is also to recommend technology protection measures to be installed by schools/District on each computer/electronic device issued to students
- Technology protection measure defined as “a technology that inspects and analyzes unencrypted internet traffic for malware and that blocks or filters electronic access to obscene materials, child pornography, or material that is harmful to minors.”
- In collaboration with DOAS, GaDOE is authorized to create a nonexclusive list of providers of technology protection measures that meet or exceed the standards
- GaDOE will require annually, the providers to verify the technology protection measures meet or exceed standards





O.C.G.A. § 20-2-324

By December 1, 2025, DOE will develop personnel training guidelines which includes instruction in:

- Implementing and complying with acceptable-use policies required by this Code section;
- Basic cyber security issues pertinent to schools, students, and educators, including, but not limited to, phishing and multifactor authentication; and
- Other current and emerging issues and topics which address the safe and secure use of technology by students and educators.

O.C.G.A. § 20-2-324.7

O.C.G.A. § 20-2-324.7

By 4/1/26, each local governing body must adopt a social media policy that:

- (1) prohibits students from accessing social media platforms through the use of school resources
- (2) Sets consequences for students that violate the policy; and
- (3) Creates procedures for parents to:
 - i. Request information about what social media platforms have been or are intended to be accessed; and
 - ii. Prohibit their child from accessing social media platforms

District/schools shall publish policy on website and have paper copies upon request.

O.C.G.A. § 20-2- 324.7

Students shall be permitted to access a social media platform only:

- As directed by school personnel;
- For the exclusive purpose of accessing and utilizing age-appropriate educational resources;
- Under the supervision of such school personnel; and
- During the course of a school related activity.

Social Media platform means:

- “...an online forum that allows an account holder to create a profile, upload posts, view and listen to posts, form mutual connections, and interact publicly and privately with other account holders and users.”

Has quite a few exceptions...

O.C.G.A. § 20-2-324.7



- Local governing body shall take appropriate steps to implement policy to include:
- Use of software programs and other technologies reasonably designed and intended to block and monitor access to social media platforms; and
- Selection of online servers that block and monitor access to social media platforms.

[illegible]

- By July 1, 2026, each board of education shall adopt a policy that prohibits bullying (including, new definition of cyberbullying)
- Must be included in the student code of conduct.
- The policy shall include a process to regularly evaluate and update the use of technology solutions to aid in the prevention of cyberbullying.

O.C.G.A. § 20-2-751.4

Revises Bullying Statute

O.C.G.A. § 20-2-324.7

Policy shall be submitted to GaDOE by April 1, 2026

- Must identify the software/technology used to block access to social media platforms
- DOE shall review policy to determine compliance and will provide written notice of such
- District /school has 30 days to revise
- Can get a 30-day extension
- SBOE can withhold state funds if school/District fails to comply with statute.
- Such decision can be appealed to Superior Court.





2025
Session



ATTENDANCE
MATTERS

Senate Bill 123

Senate Bill 123

- Creates an attendance review team for certain school Districts
- Those Districts that have a chronic absenteeism rate of 10% or higher
- Those schools that have a chronic absenteeism rate of 15% or higher
- Shall establish attendance review team
- School chronic absenteeism means number of students enrolled in a school who were chronically absent divided by total number of students enrolled in school each year
- Chronically absent means total number of absences (excused or otherwise) are equal to or greater than 10% of the total days the student has been enrolled

Senate Bill 123

- Attendance review team shall meet at least monthly
 - Review cases of students that are chronically absent and develop intervention plans
- “Attendance review teams established under this subsection may consist of school administrators, school counselors, school social workers, teachers, other school personnel, and the parents or guardians of such students who are chronically absent.”

The background features a close-up of a document with the words "SOCIAL SECURITY TAX" printed in a large, serif font. A fountain pen with a gold-colored nib is visible in the lower-left corner. A semi-transparent white rectangular box with a thin green border is centered over the text.

House Bill 37

House Bill 37

7/1/2025

Notice to new employees:

- Whether District withholds Social Security taxes
- Whether entitled to enroll in Social Security
- Eligible for pension or benefit plan

12/31/2025 and once every five years thereafter:

- Notice to all Employees about the above

7/1/2025

- At or near separation:
- Notice to Employees if Social Security taxes were withheld

OPEN RECORDS REQUEST



Senate Bill 12

Senate Bill 12

A custodian that receives an Open Records Request must comply

- "(1.1) 'Custodian' or 'lawful custodian' means the agency that has charge, custody, care, and control over a public record or an employee of such agency who is designated as the custodian of such agency's records." Post on public website notice of the day that each test/exam will be administered



Senate Bill 63

Senate Bill 63

- Requires each school District that offers the PSAT/NMSQT, SAT, PreACT, ACT or Armed Services Vocational Aptitude Battery, or an advanced placement exam to enrolled students to:
- Offer such test/exam to any home study student who resides in the local school District
- Post on public website notice of the day that each test/exam will be administered
 - Registration Dates
 - Procedures
 - State that exams are available to home study students that reside in District
- Cannot require a fee from home study students that enrolled students are not required to pay



House Bill 340

Distract Free Education Act

House Bill 340 – Distract Free Education Act

- No later than July 1, 2026, no K-8th grade student shall be permitted to access personal electronic devices during the school day.
- Personal Electronic Device = Portable electronic device capable of transmitting, receiving or accessing communications, data or media.
 - Includes: SmartPhones/watches, tablets, e-readers, headphones
- School Day = Bell-to-bell period for student receiving instruction on campus (not virtual/remote away from campus)
- Bell-to-bell = Period beginning with first bell signaling the start of instruction time and ending with final bell signaling conclusion of school day (includes all breaks, transitions, assemblies)

By January 1, 2026, District and school shall adopt policies that, at a minimum:

1. Prohibit bell-to-bell access to personal electronic devices by K-8th grade students
2. Establish storing methods for students' personal electronic devices
 - Can include lockers, locked pouch, or designated place in classroom
3. Establish procedures for off site events/activities, i.e. field trips, athletic/extra curriculars and daily transportation

House Bill 340 – Distract Free Education Act cont'd.

4. Communication protocols that:

- Address emergency communication through school emergency management systems
- Require parents that need to communicate with students during school day to contact school directly
- Communicate rules for school personnel/sponsors of field trips, athletic/extra curriculars and daily transportation that do not occur on school campus

**House Bill 340 –
Distract Free Education Act cont'd.**

HB 340 cont'd



5. Provide students in violation with progressive discipline in line with student code of conduct including warnings, confiscation and parental notification
 - If student has IEP/504 plan that specifically mandates use of personal electronic device, shall be permitted to access the device, as necessary.
 - Each District/School is encouraged to host parental meetings
 - DOE shall provide guidance & technical support
 - Can't waive this



Senate Bill 1

Riley Gaines Act



Senate Bill 1

General Assembly finds that:

Requiring the designation of separate, sex-specific athletic teams and sports is necessary to protect student athletes from harm and to promote and preserve the competitive fairness of sports.

It is the intent of the General Assembly that:

Female student athletes have fair opportunities to demonstrate their strength, skills, and athletic abilities and to obtain recognition, accolades, college scholarships, and the numerous other long-term benefits that result from participating and competing in sports.

School Districts and schools are authorized to sperate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill, competitive fairness, student safety or the sport involved is a contact sport

Sex = an individual's biological sex – either male or female

- Can be observed or clinically verified at or before birth
- Not by stipulation or self identification
- Districts/Schools not authorized to verify student sex through visual inspection of student's external sex organs
 - Can rely on medical records

Senate Bill 1– Riley Gaines Act cont'd.

Senate Bill 1 – Riley Gaines Act cont'd.

Sport = organized activity involving skill and physical effort undertaken by one or more teams according to established rules

- Can be a sport, an activity or similar designation by an athletic association

Contact Sport = the purpose or substantial component involves bodily contact

- i.e. Basketball, boxing, football, ice hockey, lacrosse, martial arts, soccer, softball, rugby, volleyball and wrestling

Senate Bill 1 – cont'd

For interscholastic competitions, each public District/School and participating private school shall designate each team operated/sponsored as male, female or co-ed.

- Males cannot participate on any team designated as female
- Females cannot participate on any team designated as male
- Females can participate on a male designated team if a corresponding team designated for females is not offered
- Any student can participate on a co-ed team
- Males are not prohibited from participating in practices, exhibitions or scrimmages with female teams

Senate Bill 1



Districts/Schools should provide separate multiple occupancy restrooms or changing areas and sleeping quarters on the basis of sex and shall be comparable to the facilities provided for the other sex

- Multiple occupancy restroom or staging area = an area designed to be used by one or more individuals of the same sex at the same time where individuals may in various stages of undress
 - i.e. restrooms, locker rooms, changing rooms and showers

Senate Bill 1 – cont'd

Sleeping Quarters



Sleeping quarters' means a room or other limited access designated space within a building or facility, such as a limited access designated space within a gymnasium, cafeteria, or auditorium or other performance space, in which more than one individual is housed overnight.

Senate Bill 1 – Riley Gaines Act cont'd.

- Males cannot use multiple occupancy restrooms, changing areas or sleeping quarters designated for females in conjunction with interscholastic competition
 - Same for females
- District/school shall provide a reasonable accommodation to individuals unwilling/unable to use MOR, changing areas or sleeping quarters designated for their sex
 - Reasonable accommodation includes access to single occupancy facilities

Senate Bill 1 – cont'd.

Custodial,
Maintenance
Inspection

Emergency Medical
Assistance

Ongoing Emergency, i.e.,
Physical Altercation

Parent Accompanying Minor
for Safety, Welfare or
Assistance

Performance of
Official Duties i.e.,
Coach/Teacher

**Opposite Sex Can
Enter
MOR/changing
areas for:**

(B)(i) A student who is aggrieved by an alleged violation or anticipated violation of this Code section or his or her parent or guardian shall have a right to file a complaint with the employee designated in subsection (i) of this Code section with a request for an expedited preliminary determination as to whether a violation of this Code section exists or is about to occur.

- If preliminary determination is that a violation occurred = written cease and desist letter issued pending final resolution
- If preliminary determination is rejected – written decision issued identifying essential facts and rationale for decision
- Written decisions sent not later than two business days after decision

Can appeal to BOE within 35 days of decision; ruling on appeal in writing within 35 days

Senate Bill 1 – Grievance Procedures

Any student deprived of an athletic opportunity or suffers harm as a result of violating this code section shall have a private cause of action for injunctive relief...

“damages, and any other relief available under law. If an aggrieved student or such student's parent or guardian is the prevailing party in such action, such student or such student's parent or guardian shall be entitled to an award of monetary damages, including for any psychological, emotional, or physical harm suffered, reasonable attorney's fees, court costs, and expenses of litigation, and any other appropriate relief;”

Riley Gaines Act – Cont’d.

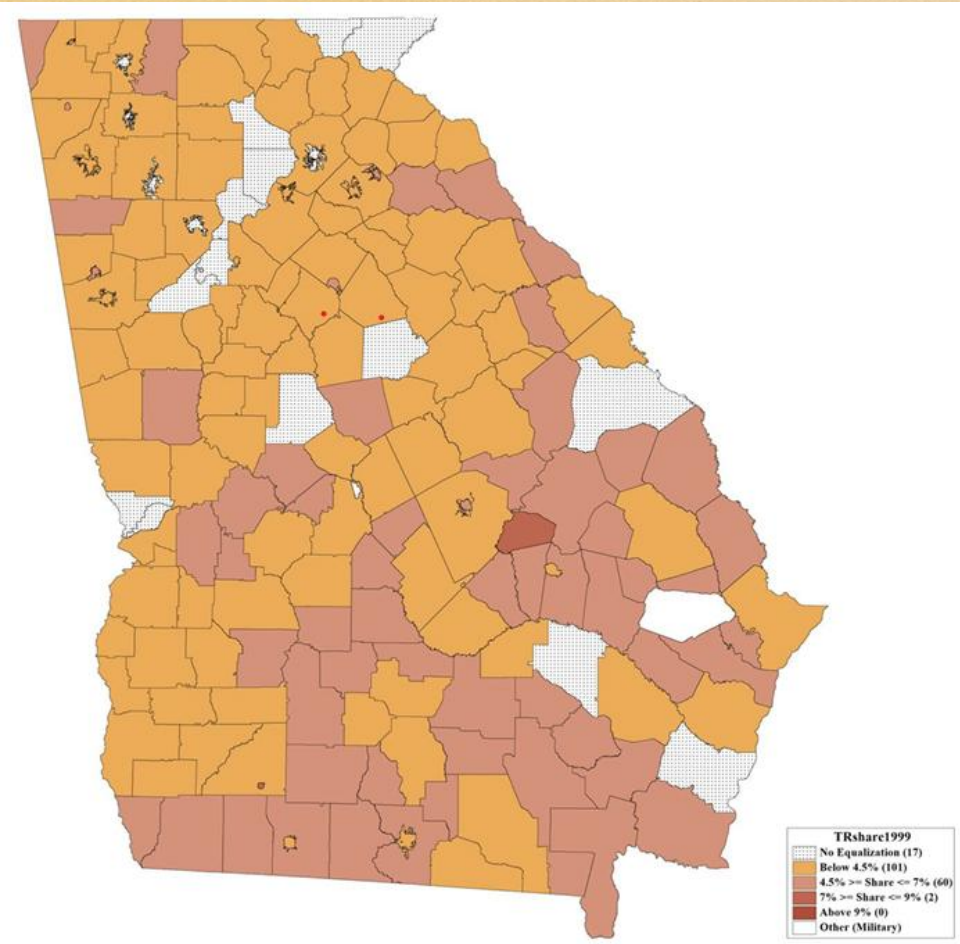


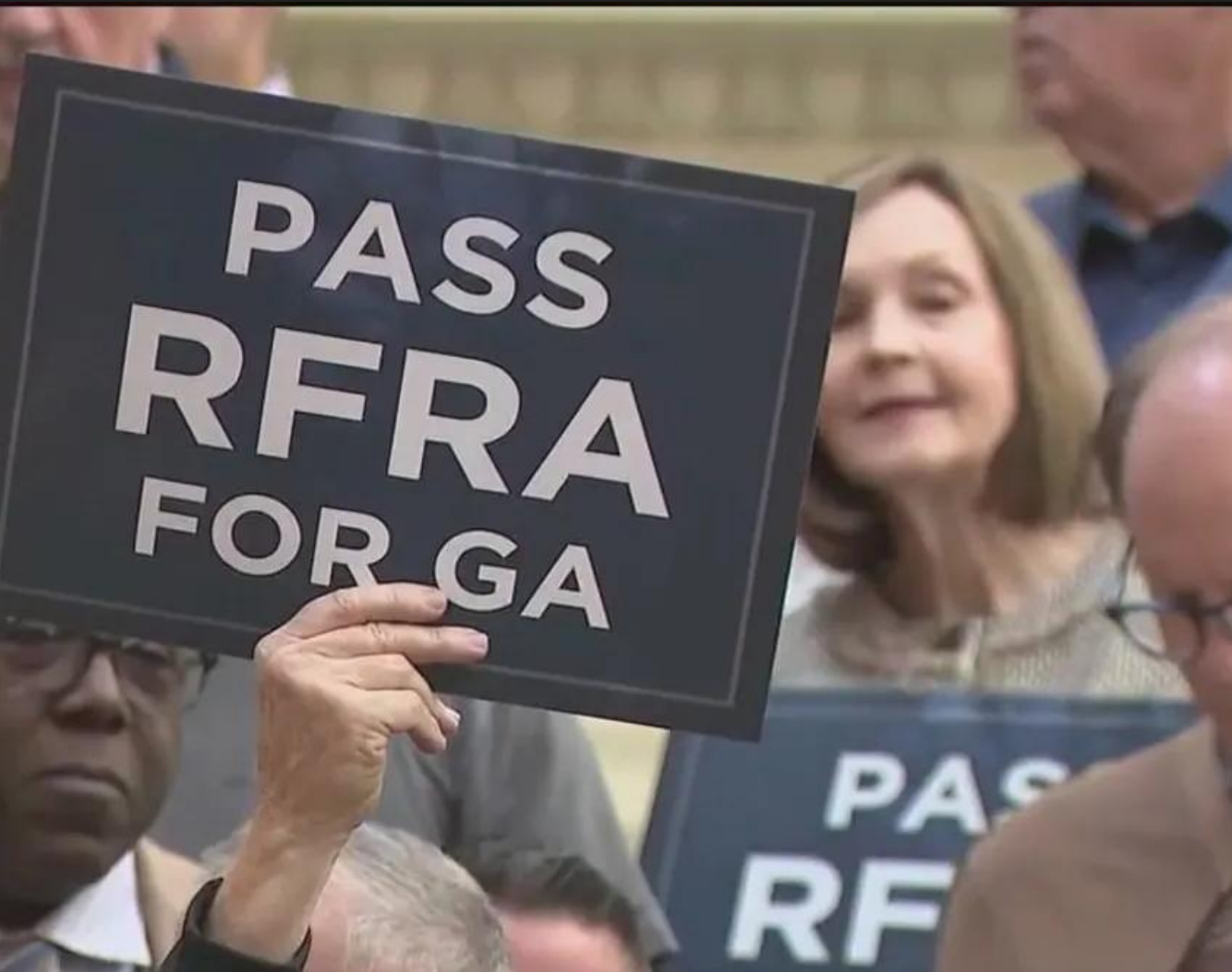
Senate Bill 44

Senate Bill 44

Reduces millage rate for equalization grants from 14 mils, or equivalent to 10 mils or equivalent

"(d.1) If, after a local school system's equalization grant has been calculated for the ensuing fiscal year as provided for in subsection (b) of this Code section, such local school system decreases the actual or equivalent millage rate levied against its digest for maintenance and operation to an amount below the minimum amount required in subparagraph (a)(9)(C) of this Code section, a midterm adjustment in such local school system's equalization grant shall be made such that the total equalization grant amount awarded to such local school system is reduced to an amount equal to 75 percent of the initial equalization grant amount."





Senate Bill 36

Georgia Religious Freedom
Restoration Act

Senate Bill 36 – Georgia Religious Freedom Restoration Act

O.C.G.A. § 50-15A-1.

- (a) Government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability,
- (b) Government may substantially burden a person's exercise of religion only if it demonstrates that application of the burden to the person is:
 - (1) In furtherance of a compelling governmental interest; and
 - (2) The least restrictive means of furthering such compelling governmental interest
- (c) A person whose religious exercise has been burdened in violation of this chapter may assert the violation as a claim or defense in a judicial proceeding and obtain appropriate relief against government.

Statewide floating homestead exemption, an optional sales tax to further offset property taxes, and property tax process reforms.

GENERAL ELECTION ON
NOVEMBER 5, 2024 (HR 1022)

**MARCH 1,
2025**

DATE BY WHICH LOCAL GOVERNMENTS MAY OPT OUT OF PARTICIPATING IN THE FLOATING HOMESTEAD EXEMPTION. TO OPT OUT, A LOCAL GOVERNMENT MUST PASS A RESOLUTION AND HOLD THREE PUBLIC HEARINGS.

STATEWIDE FLOATING HOMESTEAD EXEMPTION

HB 581 provides a **statewide** "floating" homestead exemption that will limit annual assessment increases on a **homesteaded property to the rate of inflation.**



The base year assessed value for a home will be initially set at the 2024 value of a home and resets whenever a home is sold or receives a substantial property change.



A rate of inflation based on the consumer price index shall be set annually by the Georgia Department of Revenue. Home assessment increases will be limited to this rate of inflation, with any excess being offset by the homestead exemption.

This statewide exemption can be used in addition to other homestead exemptions that are not base year value exemptions. If another base year exemption exists locally, the exemption of greater benefit to the homeowner shall be provided.

OPTIONAL SALES TAX FOR PROPERTY TAX RELIEF

✱ An optional **1 percent sales and use tax** is available to eligible **counties and municipalities**. Proceeds may only be used for **property tax relief**.

✱ The measure must be **approved by voters** via referendum.

✱ Counties and cities may qualify by **implementing an ad valorem property tax exemption** (such as the floating homestead exemption above) and entering into an **intergovernmental agreement** that determines the distribution of proceeds.

✱ The tax may be levied for **up to five years** with the option for **renewal**. Any renewal will require a **local act of the Georgia General Assembly** in addition to the intergovernmental agreement and approval via referendum.

PROPERTY AND SALES AND USE TAX REFORMS

✱ Regarding property tax assessment notices: the

✱ Parcels are required to be appraised at least once

✱ Local option sales and use taxes are restructured as follows:

HOUSE BILL 92

House Bill 92

Requires a notice on tax bills for School Districts that opted-out of the homestead exemption (HB 581) and where, “there is not in effect...a base year value homestead exemption or adjusted base year value homestead exemption that is generally applicable for homestead residents,”

Notice:

“[Name of the political subdivision] chose to opt out of property tax relief for homeowners related to HB 581 (2024). If you have concerns about that decision, please call [the main telephone number for the levying or recommending authority of the political subdivision].”

- Does not apply to tax years “beginning after” 12/31/2029

House Bill 92 – cont'd.

- Specifies that HB 581 homestead tax exemption is for the primary residence and 5 acres or less immediately surrounding
 - Must be contiguous
- Must go through the same procedure to maintain opt-out status of HB 581
- Can rescind vote to opt-out any time by filing resolution with Secretary of State by April 30, 2025, for tax year 2025; March 1 for tax years 2026-2029



House Bill 92 – cont'd.

- Must calculate estimated rollback rate and certify to Board of Assessors and Tax Commissioner within 15 days prior to the postmark of annual notice of assessment
- Exempt local sales and use tax on qualifying construction materials used in capital outlay projects for educational purposes
- Local Sales and Use Tax = sales taxes, use taxes, or local sales and use taxes levied or imposed at any time in any area consisting of less than the entire state, however authorized

Qualifying Construction Materials = any materials used in the construction of a capital outlay project for educational purposes that will remain as part of such project after completion of construction or that become incorporated into such project's real property.

District must have in effect a base year value homestead exemption or adjusted base year value homestead exemption.

District files a request for refund with the Department

Refund doesn't include interest

House Bill 92 – cont'd.

House Bill 268



House Bill 268

- By July 1, 2026, each school shall implement a mobile panic alert system
 - Must be able to connect “disparate emergency services technologies to ensure real-time coordination between multiple local and state law enforcement and first responder agencies.”
 - Integrate with school mapping data
 - No requirement to implement new system if school already has system that meets qualifications
 - By July 1, 2026, each school shall procure school mapping data
 - 'School mapping data' means building information, floor plans, and aerial imagery of any public or private school.

**Format of
school
mapping
data
must:**

Conform/integrate software platforms utilized in local public safety answering points by local, state and federal agencies that respond to emergencies

Be able to be printed, shared electronically and digitally integrated into interactive mobile platforms

Be verified for accuracy by July 1 each year by the entity producing mapping data

ID/label access points of each building interior

ID/label locations of critical utilities, key boxes, AEDs, trauma kits

ID/label parking lots, athletic fields, roads, outbuildings

House Bill 268

- Districts shall work with law enforcement to receive “concurrence” prior to purchase, that school mapping data meets requirements
- This information will be exempt from production under Georgia’s Open Records Act
- BOE, District immune from civil liability for damages arising out of creation/use of school mapping data, unless employee acted with gross negligence/bad faith

Student Records



House Bill 268 – Enrollment and Educational Records

- Upon learning a child in custody of DJJ, DHS or DFACS, may be placed in a LUA for educational purposes
- The LUA shall request educational records within 5 days of notification

House Bill 268 – Enrollment and Educational Records

- Educational Records Include:
 - Adjudicated class A or B designated felony, including date of adjudication, offense, jurisdiction and sentence imposed
 - Currently serving short- or long-term suspension, expulsion, including reason and term of discipline
 - Currently subject to notice of disciplinary hearing

House Bill 268

- Currently or ever been subject of:
 - Notice of report of criminal action
 - Notice of chronic disciplinary problem
 - Discipline or behavior correction plan
 - Report of commission of prohibited act

House Bill 268

If DJJ, DHS or DFACS contends it cannot disclose records without consent of parent, the agency shall within 5 “school business days” of request:

- Release all records not subject to restriction
- Provide in writing to the local unit of administration and the RESA student affairs officer of the RESA in which such local unit of administration is located a list that identifies each record that such agency contends is subject to such restriction and the legal basis for such restriction; and
- Reach out to parent verbally and in writing to obtain consent

House Bill 268

- Upon receipt of written consent, records are to be immediately released
- If agency or LUA contend the records cannot be lawfully released or that the records have been unlawfully withheld, either shall provide written notice of dispute to the RESA student affairs officer
- Upon receipt, the student affairs officer shall be authorized to work in coordination with any sending school, any receiving school, any other requestor, and the parent or legal custodian of the student whose records are the subject of such notice to resolve any dispute by providing technical assistance and guidance as to the respective rights and responsibilities of each of the parties to the dispute.

House Bill 268

- If no resolution, RESA student affairs officer will provide written notice of noncompliance to party
- Includes a recommended corrective action
- Report shall be provided to Executive Director of RESA
- Upon receipt, RESA Executive Director “shall be authorized to attempt to resolve the dispute” and report noncompliance to Attorney General and DOE chief privacy officer

House Bill 268

- Georgia DOE chief privacy officer shall promulgate guidance documents on the following topics for all LEAs, DJJ, DHS, DFACS
 - Shall address FERPA, student health and data
 - What records can be shared
- Guidance documents shall be issued by December 31, 2025
- Each BOE shall immediately provide an electronic copy of a student's complete education record to a parent, legal custodian or another person or entity legally authorized upon request and under no circumstances later than 5:00 pm on the 3rd day after request



STUDENT ENROLLMENT

House Bill 268

Enrollment

(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:

- Adjudicated class A or B designated felony, including date of adjudication, offense, jurisdiction and sentence imposed
- Currently serving short- or long-term suspension, expulsion, including reason and term of discipline

House Bill 268

- Currently subject to notice of disciplinary hearing
- Currently or ever been subject of:
 1. Notice of report of criminal action
 2. Notice of chronic disciplinary problem
 3. Discipline or behavior correction plan
 4. Report of commission of prohibited act

Either:

- a) Certified copy of critical records from previous school attended during previous 24 months or
- b) Written confirmation that receiving school has received critical records

House Bill 268

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

- (A) Academic transcript;
- (B) Attendance records;
- (C) 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;

House Bill 268

- (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;

House Bill 268

- (D) 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;
- (E) 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
- (F) Psychological evaluations, if any.

House Bill 268

- Can temporarily assign student to remote learning until critical records are received or case management consultation completed
- If student provisionally enrolled, then found ineligible = student can be dismissed
- Each time educational records are transferred to a receiving school, parent/legal guardian shall receive written notice from receiving school:
 - Parent can request copies within 5 school business days
 - Within 5 school business days of receipt, parent/legal guardian can request meeting with principal or designee of receiving school for purposes of correcting content of records
 - Parties can mutually agree to hold meeting outside of 5 day period

House Bill 268

- Each sending school shall immediately release complete educational records to parent/legal custodian upon request, but in no case later than 5:00 pm on the third business day after the request
- Where a sending school contends records cannot be sent lawfully or requesting school contends records unlawfully withheld, either shall provide written notice of dispute to RESA student affairs officer
- Process similar to issue with DJJ, DHS and DFACS

House Bill 268 – Student Advocacy Specialist

Creates Qualified Student Advocacy Specialist employed by Districts

By December 31, 2025, Department of Behavioral Health and Developmental Disabilities, in consultation with the DOE will “establish essential duties and minimum qualification for these employees, including:

- (1) 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;

House Bill 268

- (2) 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
- (3) 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.

House Bill 268

The beginning salary and benefits are eligible for reimbursement grants, subject to appropriations by General Assembly

- (1) One qualified student advocacy specialist for local school systems with a full-time equivalent enrollment of fewer than 18,000 students;
- (2) Two qualified student advocacy specialists for local school systems with a full-time equivalent enrollment of 18,000 to 36,000 students; or
- (3) Three qualified student advocacy specialists for local school systems with a full-time equivalent enrollment of more than 36,000 students.

House Bill 268 - Law Enforcement and Students

- Within 5 days of an official encounter with a school aged youth, the employer of each law enforcement officer present shall provide a written report of the official encounter to a school official of the public/private school in which the student is enrolled or would have been enrolled based on residency
- 'Official encounter' means an interaction of a law enforcement officer with a school age youth in such law enforcement officer's official capacity for the purpose of enforcing the criminal laws of this state or preventing, detecting, or investigating a crime, provided that such interaction is directly related to a credible report or other credible information that such school age youth has threatened the death of, or serious injury to, one or more individuals who are or will likely be at or within a school.



House Bill 268 - Law Enforcement and Students

No report required when:

- Interaction not “incidental to” the conduct of law enforcement officer in his official capacity to enforce laws or prevent/detect or investigate a crime
- When official encounter is solely due to student being a witness in a criminal investigation

House Bill 268 – Student Training

Starting with the 2026-2027 school year, all public schools service grades 6-12 that receive money from the state will:

1. Provide students with at least one hour of suicide awareness/prevention training a year; and
 2. At least one hour of “evidence based” youth violence prevention training a year
- Can be delivered in person, remotely, or digitally and can be a part of a health or PE course
 - By January 1, 2026, GaDOE will provide a list of approved evidence based training programs
 - Shall update it at least every 36 months

House Bill 268 – Student Training

Approved training programs shall 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 936 potentially harmful behavior.

House Bill 268

Boards of Education shall adopt policies, rules, regulations on:

1. Suicide awareness and prevention
2. 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

Georgia DOE shall establish model policies



House Bill 268

Each Board of Education shall require each school that sponsors or permits student organizations or clubs to designate a student-led youth violence prevention club. Such club shall:

- Be open to all members of the student body;
- Engage in awareness activities related to youth suicide prevention, youth violence prevention, and social inclusion;
- Foster opportunities for student leadership development; and
- Have at least one administrator, teacher, or other school personnel serve as a faculty advisor.

House Bill 268

By July 1, 2026, each Board of Education shall develop and operate an anonymous reporting program that at a minimum shall:

- (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;

House Bill 268

- (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.



House Bill 268

- If District already has an operating anonymous reporting program that meets the requirements, no need to get a new one.
- Each school must update school safety plan by including behavioral threat assessment management plan

House Bill 268 – Withdrawal of Student

When a student doesn't attend public school where enrolled for thirty consecutive days and:

- (1) The parent or guardian of such student does not notify the school of such student's withdrawal from such school;
- (2) The parent or guardian of such student does not notify the school of such student's enrollment or intent to enroll in a home study program or another school;
- (3) Such student is withdrawn from a public such school without a declaration filed pursuant to subsection (c) of Code Section 20-2-690; or
- (4) Such student is 16 years of age or older and stops attending such school without completing the conference required under subsection (e) of Code Section 20-2-690.1

House Bill 268 – Withdrawal of Student

- School must refer to DFACS and RESA student affairs officer
- DFACS is to determine whether withdrawal was to avoid educating student
- RESA is to determine if student enrolled in another school or home study program
 - If another school – whether such school has received student's educational records

House Bill 268 – SRO Agreements

By October 1, 2025, SRO agreements must include terms regarding sharing student education records:

- 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;
- 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



House Bill 268 – SRO Agreements

- (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.

By August 1, 2025, Georgia DOE is to publish model language on its website

House Bill 268 – Behavioral Threat Assessments

- By January 1, 2027, each school safety plan must include behavioral health needs of students and behavioral threat assessment management plan
- Behavioral threat assessment management plans must be submitted to Department of Behavioral Health and Developmental Disabilities for approval
- GEMA in coordination with DBHDD will provide training and assistance with development and implementation of behavioral threat assessment management plans
- GEMA shall establish a secure state-wide alert system for use by public elementary and secondary schools in this state to report and monitor incidents of safety threats made on or impacting a school campus, subject to appropriations



House Bill 268 – School Bus Disruption

(a) Any 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.

House Bill 268 – School Bus Disruption

“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.”



House Bill 268 – Terroristic Threat

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

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

(A) On public or private school operated property, including, but not limited to, school buildings and school grounds;

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

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

House Bill 268 – Terroristic Threat

- (2) With the purpose of causing the evacuation of:
 - (A) Public or private school operated property, including, but not limited to, school buildings and school grounds; or
 - (B) A school bus or other vehicle furnished by a public or private school for the transportation of students; or
- (3) In reckless disregard of the risk of causing the terror or evacuation described in paragraph (1) or (2) of this subsection; provided, however, that no person shall be convicted under this subsection based on the uncorroborated testimony of the party to whom the threat is communicated.

Any questions?

