

Overview

In the wake of the tragic school shooting at Apalachee High School in Winder on September 4, 2024, Georgia leaders enacted comprehensive legislation – House Bill 268 – to help keep children safe and supported in schools.¹

The new rules impact nearly every aspect of the school experience for Georgia students and their families, including:

- Increased **security** measures at schools
- Requirements to improve schools with poor **school climates**
- Improved access to school-based **mental health services**
- Expanded student **record-sharing**
- Stricter rules on **student absences**, and
- Enhanced **criminal penalties** for student misconduct, including threats.



The new rules are summarized below.² Contact Georgia Appleseed (fair@gaappleseed.org) if you would like more information or if you need help advocating for your child in school enrollment, discipline, or special education matters.

School Security

- By July 1, 2026, every school must implement new security measures, including a mobile panic alert system, a school safety mapping program, and an anonymous reporting system that can link to local police and the 911 emergency line.
- The FY26 Budget allocated about \$61,000 per school in school security grants.³

¹ HB 268, available at <https://www.legis.ga.gov/api/legislation/document/20252026/238529>.

² Additional rules apply to children in the custody of the Department of Juvenile Justice or the Department of Human Services, including the Division of Family and Children's Services; or are placed in a psychiatric residential treatment facility by a parent or guardian. Different rules may also apply to children in private or home schools. Contact Georgia Appleseed for more information.

³ Georgia's FY 26 Budget is available at [https://www.legis.ga.gov/api/document/docs/default-source/house-budget-and-research-office-document-library/2026-fiscal-year/fy_2026_bill_gov_rec_\(hb_68\).pdf?sfvrsn=cf4a86db_2](https://www.legis.ga.gov/api/document/docs/default-source/house-budget-and-research-office-document-library/2026-fiscal-year/fy_2026_bill_gov_rec_(hb_68).pdf?sfvrsn=cf4a86db_2)

School Climate

- Every Georgia school is rated on a scale of 1 to 5 for the quality of its school climate.
- These ratings reflect whether the school has a positive learning environment where students, teachers, and staff feel safe and supported.
- Elementary and middle schools with poor climate ratings (1-2) must implement positive behavioral interventions and supports for students (PBIS) and a three-tiered response to intervention system (RTI) to identify and help students with academic or behavioral challenges.
- As of 2025, about 13% of all Georgia schools had ratings as low as 1 or 2. You can find the climate rating for your child's school on the Georgia Department of Education's website:⁴

School-Based Behavioral Health Services

- The FY26 Budget also included about \$20 million (approximately \$20,000 per school) for Georgia middle and high schools to improve student well-being.
- It allocated another \$7 million to help local school districts hire new "qualified student advocacy specialists" who will support behavioral health programming in schools and connect students with any needed behavioral health services.
- Beginning in the 2026 school year, middle and high schools must offer mandatory suicide and violence prevention trainings for students, along with new violence prevention student clubs.
- By January 1, 2027, every school's safety plan must, among other things:
 - Address the behavioral health needs of its students, and
 - Include a behavioral threat assessment management plan (BTAM), which requires schools to use multidisciplinary teams to assess alleged threats and provide positive interventions as needed.

Record-Sharing for Grades 4-12

- Before you can enroll your child in grades 4 through 12 in a new school, you must disclose in writing if your child has had any serious criminal or discipline issues and provide certified copies of these records going back at least 24 months.
- You are not obligated to disclose every criminal or discipline issue that your child has experienced. Consult HB 268 for the complete list of disclosable offenses.⁵
- Be aware that the new school is required to share any serious criminal and discipline records with your child's new teachers.

CAUTION: Several federal and state laws impact the privacy of student records and students' rights to enrollment, such as FERPA, HIPAA, ESSA, IDEA, the McKinney-Vento Act, and the Georgia Juvenile Code. These laws may conflict with the new record-sharing rules in HB 268. The Department of Education must issue guidance by December 31, 2025 to provide greater clarity.

⁴ Georgia Department of Education, 2024 Star Climate Ratings, available at <https://url.gadoe.org/wp65y>.

⁵ HB 268, available at <https://www.legis.ga.gov/api/legislation/document/20252026/238529>.

- You have a right to be notified by the new school when it receives your child’s records, to request copies, and to make corrections. You also have a right to request copies from the old school and receive them within 3 days.
- The school may enroll your child for up to 10 days without records (“provisional enrollment”).
- While waiting for the records, the school may assign your child to temporary remote learning or hold a case management consultation to see if your child may attend school in person.
- If the school thinks you are unreasonably withholding your child’s records, it may seek a court order for the records, and you could be subject to a \$500 fine.
- The school may ultimately withdraw your child for failure to provide records.

Student Absences

- In Georgia, all children must attend school from age 6 to 16, with few exceptions.⁶
- If your child is absent for 30 days in a row and you have not notified the school that your child is enrolled somewhere else, the school must contact the Division of Family and Children Services and the local RESA (Regional Education Services Agency). It may make a wellness visit to your child’s last address and contact law enforcement, if necessary.
- See Georgia Appleseed’s webpage on Senate Bill 123 with additional rules related to student absenteeism.

Criminal Penalties

- Students, as young as age 13, who are charged with committing terroristic acts at school, on the bus, or at a school event may be prosecuted as adults and face one to ten years in prison.
- Students charged with threatening to cause the death of another person at school, on the bus, or at a school event may be found guilty of a felony punishable by up to 5 years in prison.
- When there is a credible accusation that a student made a threat at school, the school may assign the child to remote learning and provide counseling while it investigates the case.

NEW LAW ENFORCEMENT RECORD SHARING: Police must now report any official encounter with a child aged 6-16 to the school unless the child was a witness only. This new rule may violate existing law requiring that most juvenile law enforcement records be kept confidential.

Georgia Appleseed is a nonprofit public interest law center working to build a Georgia where every child thrives at home and at a school. We keep children in school and on a path to success by providing legal services and representation, leading law and policy reform, growing a statewide community of advocates, and collaborating with children, youth, and their families. Learn more at www.gaappleseed.org.

⁶See, Section 20-2-690.1 of the Georgia Code, available at <https://law.justia.com/codes/georgia/2010/title-20/chapter-2/article-16/part-1/subpart-2/20-2-690-1>.