

Georgia Appleseed develops school and housing justice policy priorities through Georgia-focused research and by listening to children, parents, subject-matter experts, community leaders, and other stakeholders and advocates. We prioritize pragmatic, evidence-based policies that support all of Georgia's children while focusing on those often marginalized: Black and Brown children, children experiencing poverty, children who identify as LGBTQ+, children with disabilities and children in foster care.

Georgia's children deserve access to stable, healthy housing and quality education in an environment where they are supported and challenged. Schools, courts, state agencies, and community members must meaningfully collaborate to identify and implement best practices to keep children in school, in their homes, and out of the criminal justice system.

Our policy recommendations aim to:

- (1) **reduce the number of children removed from school**, particularly those suspended or expelled for typical, developmentally appropriate adolescent behavior or symptoms of behavioral health challenges;
- (2) **improve behavioral supports for children** at-risk of long-term removal from school;
- (3) **increase placement stability and permanency** for children in foster care; and
- (4) increase opportunity for **stable, healthy housing** for low-income children and families.



### SCHOOL JUSTICE

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**Keep kids in class with the supports they need and out of the criminal justice system.** Children and youth who attend nurturing schools where they feel safe and supported are more likely to graduate, avoid the criminal justice system, and become the creative and productive community members that Georgia needs.

1. **Adopt School-Justice Partnerships (SJPs) and Court-led Student Attendance and School Climate Committees (SASCCs) statewide to reduce juvenile justice involvement and improve education outcomes.**
  - a. **Ensure required SASCC convening.** Policymakers should reach out to their county's Superior Court to encourage compliance with O.C.G.A. § 20-2-690.2, which requires superior courts to convene Student Attendance and School Climate Committees. These committees, and School-Justice Partnerships (a Georgia-grown approach now found [nationwide](#)), can identify and encourage local

adoption of school, court, and policing policies and approaches that reduce juvenile justice involvement, improve student performance, and increase teacher retention. According to our research, very few communities convene these committees or partnerships.

- b. **Track compliance.** The Georgia Department of Education should work with other agencies and stakeholders to track county compliance and encourage and support communities to convene these committees and partnerships. *[Find more information at Georgia Appleseed’s [website](#).]*

2. **Reform school discipline procedures to promote fairness, prevent academic backslide, protect parents’ rights, and support teachers.**

**The state legislature and Governor should enact [Senate Bill 169](#).** This Georgia Appleseed-authored bill ensures that school disciplinary hearings are timely and fair for students and schools. The bill will also prevent children from falling behind in school by providing instructional materials to students involved in school disciplinary proceedings. Teachers tell Georgia Appleseed that students who return to school after disciplinary suspensions are behind academically and disengaged—putting additional strain on teacher time and attention. Georgia’s Senate passed SB169 unanimously during the 2023 legislative session. In spring 2024, we will introduce the bill into the Georgia House of Representatives for final passage.

### Past Discipline Reforms

Senate Bill 169 is a part of Georgia Appleseed’s long commitment to student discipline reforms, including:

- legal reforms in public school discipline – [providing transparency for school discipline rates](#) across the state, and [identifying positive educational climate best practices](#) – that protect hundreds of thousands of public-school children from unnecessary and harmful suspensions and expulsions (2018);
- [the Trauma Impact Rule](#) that grants additional education rights to children in foster care (2020); and
- a law that increases public accountability for school discipline methods (2021).

3. **Prioritize positive school climate.**

**Reinstate School Climate Star rating.** Georgia Department of Education and local school districts should reinvest in evidence-based [school climate](#) reform, in part by reinstating the [School Climate Star rating](#) for public schools ([more info here](#)) and promoting restorative and mediatory practices in lieu of exclusionary discipline to manage behavioral challenges. O.C.G.A. § 20-14-33 requires the School Climate Star rating. The [Georgia Department of Education suspended the Star Climate rating, a Georgia-developed measure, during the COVID-19 pandemic](#), but has not reinstated the rating.

School climate is how the school experience “feels” related to safety, teaching and learning, interpersonal relationships, and the physical building. A positive school climate improves academic performance, attendance, social emotional learning, and life skills of children and youth. Data demonstrates positive climate can [increase teacher retention](#) and [student achievement](#), while reducing dropout rates, [incidences of violence](#), and the need for out-of-school suspensions.

Georgia’s adoption of school climate reform over the last decade has reduced discipline challenges overall and remains a key strategy in making schools safer for students and teachers.

#### 4. Expand School-Based Behavioral Health (SBBH) services across the state.

- a. **Support Georgia Apex program.** Georgia’s legislature, Governor, and Dept. of Behavioral Health and Developmental Disabilities should [promote behavioral health services in all public schools](#) by funding and supporting an expansion of the Georgia Apex program and ensuring that Medicaid covers school-based behavioral health services. Currently, Georgia’s ratios of students to school counselors, school social workers, and school psychologists in K-12 schools are below national standards. For example, Georgia has only 8 (eight) adolescent psychiatrists for every 100,000 children.
- b. **Increase school-based behavioral health workforce.** State and local policymakers should prioritize expanding the school-based behavioral health workforce by increasing provider rates and providing opportunities to complete supervisor requirements. Communities can learn more about these proposals on Georgia Appleseed’s [website](#).

#### School-Based Behavioral Health

SBBH programs benefit school communities by providing support to students when they need them and where they can access them, reducing traditional barriers to care. These services enhance students’ academic achievement and increase graduation rates, promote positive school climate and increase teacher retention, and respond to the [growing behavioral health crisis facing our youth](#).

#### 5. Prohibit the use of corporal punishment in Georgia’s schools.

- a. **Amend local school codes.** Communities, school leaders, and legislators should amend local school codes of conduct to ban corporal punishment in schools, as recommended by the American Academy of Pediatrics. In the 2018-2019 school year, Georgia schools reported over 4,700 instances of school staff physically harming students as a form of modifying student behavior. Research shows that corporal punishment is not effective discipline and increases aggressive and anti-social behaviors. Corporal punishment disproportionately harms students of color (Black and Brown students in Georgia are 26% more likely to be corporally punished than their white peers) and students with disabilities. In lieu of corporal punishment, schools and communities should embrace evidence-based solutions to behavioral concerns like implementing and promoting positive school climate.
- b. **Add legislative protections.** Georgia’s legislature should abolish corporal punishment in schools, or, at minimum, add procedural protections for children and parents, including (1) requiring that parents expressly and voluntarily “opt-in” to the use of corporal punishment on their children, and (2) allowing for civil and criminal liabilities when the practice is misused.

**Foster Care: Children in foster care are particularly vulnerable to adverse academic outcomes, interactions with the criminal justice system, and future home and job insecurity.** We can better support the children the state has placed under its care with meaningful and intentional collaboration between legislators, state agencies, and community stakeholders.

1. **Increase funding for the Division of Family and Children Services (DFCS).** The state legislature should specifically increase funding in the areas of case management and foster home placements, to promote better outcomes for children in foster care. DFCS is tasked with caring for our 10,600+ children in foster care and providing other services to the families of Georgia's 460,000 children living in poverty. But high levels of case worker turnover (55% left their jobs in 2022 according to state records) puts children at risk—they need experienced, trained caregivers who they can count on to keep them safe.

DFCS case manager salaries start at \$40,000 per year with a bachelor's degree (other DFCS staff managing intake and other critical functions may start as low as \$33,000 annually). Not only underpaid, but each case worker is also responsible for dozens (or more) children, often working in dangerous conditions with little support, taking the brunt of blame if tragedy occurs. [In the face of national scrutiny](#) around its ability to provide safety and security for children in care, Georgia has a minimum obligation to adequately fund the agency tasked with serving some of our most vulnerable children.

2. **Provide children in care with comprehensive legal rights** that nurture positive child development, academic success, and independence for older youth. Children in care fare better when they have enumerated, enforceable rights that allow them to advocate on their own behalf. Georgia has a Foster Parent Bill of Rights, O.C.G.A. §49-5-281, but lacks adequate statutory protections for *children* in foster care. At a minimum, Georgia's legislators and Governor should enact legislation and policies providing new protections to children and youth in foster care and those who have aged out of care, including the right to state identification cards and driver's licenses, to enroll themselves in school, career-readiness training, and training and support to secure housing. Children in care should have clear, effective procedures for filing grievances or alleging violations of the law against providers of foster care services, including state agencies.
3. **Coordinate the efforts of juvenile courts, schools, and state agencies to stop the flow of children in foster care into the criminal justice system.**
  - a. **Legislators should follow the recommendations of [Georgia's Senate Foster Care and Adoption Study Committee](#)** and pass legislation to fund, implement, and provide technical assistance for a uniform state-wide data reporting system for Georgia's juvenile courts to collect and share dependency data. Children in foster care are less likely to enter the criminal justice system when courts, schools, state agencies, and other community stakeholders share data and information to identify patterns of ["dually involved, or dual systems involved youth."](#) those children who interact with both the child welfare and criminal justice systems.
  - b. The state legislature and governor should **revise O.C.G.A. §20-2-152.2** to add reporting requirements for schools when they provide trauma-informed support for children in foster care.

- c. The state should **enact legislation requiring the Georgia Department of Education to track schools' imposition of exclusionary discipline** for children in foster care.
- d. **Schools and courts must work together through School-Justice Partnerships and/or Student Attendance and School Climate Committees** (O.C.G.A. § 20-2-690.2) to ensure children in care are not pushed out of school, and into the criminal justice system, for behavior that can be managed with trauma-informed practices. Removal from school can drastically increase the risk for children in care of a home placement change and interaction with the criminal justice system. We know that a child in foster care who experiences 5 or more home placements has a [90% risk](#) of entering the criminal justice system.



## HOUSING JUSTICE

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**Ensure all children and their families have access to safe, healthy rental housing.** Safe, stable homes are the foundation for children's physical and mental health and well-being. They keep families together and build vibrant, successful communities.

Living conditions profoundly impact a child's behavior, success at school and risk of entering the criminal justice system. In 2022, more than 13,000 school-age children in Metro Atlanta were living in chronically dangerous apartment complexes, according to [student data examined by the AJC](#). [Studies](#) demonstrate that housing instability is a significant barrier to healthy child development and academic achievement. Georgia's outdated and inadequate housing laws contribute to unsafe and dangerous rental housing conditions for hundreds of thousands of Georgia's children and their families. For example, the [United Health Foundation](#) notes that 15.2% of all Georgia homes (21% for Black Georgians) have severe housing problems that impact health, including a lack of plumbing and lack of complete kitchen facilities. These percentages do not include other widespread dangers that often go uncorrected such as pest infestations, plumbing malfunctions, mold, water leaks, etc. Children are at particular risk when dangerous living conditions are not repaired. ([Please read Louana Joseph's story](#)). According to a report by the Georgia Department of Education, one-fifth of children in Georgia's foster care system were removed from their families because of inadequate housing.

By embracing pragmatic legal reforms, Georgia can create economic growth and vibrant, stable communities for every Georgian.

1. **Support legislative action that protects children and their families by passing a Tenant's Bill of Enforceable Rights**, that enshrines and embraces the following rights to tenants, including those living in hotels:

a. **Housing must be “fit for human habitation”.** The Georgia Legislature should pass [House Bill 404](#), Georgia’s “Safe at Home Act”. In its current form, HB404 provides that residential rental properties are subject to a legally enforceable “*warranty of habitability*,” meaning that residential properties must be “fit for human habitation”. Georgia is one of only three states that lacks an enforceable warranty of habitability, putting Georgia children and their families who live in residential rental homes at greatest risk for growing up in dangerous and unhealthy living conditions.

b. **Enact legislation to protect children and families from dangerous housing conditions by allowing them to withhold or abate rent payments when landlords are not maintaining a habitable home.** Even if a property becomes uninhabitable, tenants do not have the legal right to demand repairs and hold landlords accountable by withholding or abating their rent payment because landlords may still pursue eviction for the nonpayment. This system leaves families trapped in dangerous living conditions. ([Read Precious Bankston’s story](#)). Allowing tenants to abate or temporarily withhold their rent payment assures repairs are done quickly and effectively and keeps families together by decreasing the risk of eviction for nonpayment.

c. **Enact legislation that defines extended-stay hotel/motel operators as landlords, extending tenant protections to families living long-term in hotels and motels.** High rents, prior evictions, and inequitable access to safe housing have forced thousands of children and their families to resort to [living in hotel rooms](#). Because hotels are considered “innkeepers” and not “landlords” they do not have to go through the legal eviction process to remove children and their families from extended stay motels. In 2022, the [Georgia Court of Appeals ruled](#) that a hotel could not evict tenants without initiating formal eviction proceedings. However, the Supreme Court of Georgia later vacated that ruling and remanded it back to the lower court. Without judicial or legislative intervention, tenants living in hotels long-term are at danger of being thrown out with no legal recourse.

2. **Expand local housing safety enforcement.** Georgia legislators should encourage compliance with local housing codes and promote the health and safety of renters by amending O.C.G.A. § 36-74-30(b) to grant home-rule authority to local governments to implement proactive rental property inspection programs and registration systems in their communities. In its current form, O.C.G.A. § 36-74-30(b) preempts the authority of local governments to establish rental inspection and registration programs. Housing code enforcement is an important tool that localities can use to ensure the safety and welfare of the children and families living in their community.

## Safe at Home Act

### House Bill 404:

- Prohibits landlords from requiring a security deposit exceeding two months’ rent.
- Requires a landlord – prior to filing an eviction when rent is past due – to give warning to the tenant by written, posted notice.
- Enshrines a “*right to cure*” in law that requires the landlord to wait three business days following the written notice before they can file for an eviction. During this period, the tenant may pay all past due rent, fees, etc.
- Includes “cooling” as a utility that cannot be shut off after an eviction has been ordered by the court.

[Read more about Georgia Appleseed’s support of HB404.](#)