

**Georgia Department  
Of Education**

Garry McGiboney

# Georgia Legislative Update



## Georgia General Assembly

### [153rd Georgia General Assembly](#)

#### Type

Type

[Bicameral](#)

Houses

- [Senate](#)
- [House of Representatives](#)

#### History

Founded

1776

New session started

January 8, 2018

180 members of  
the House of  
Representatives





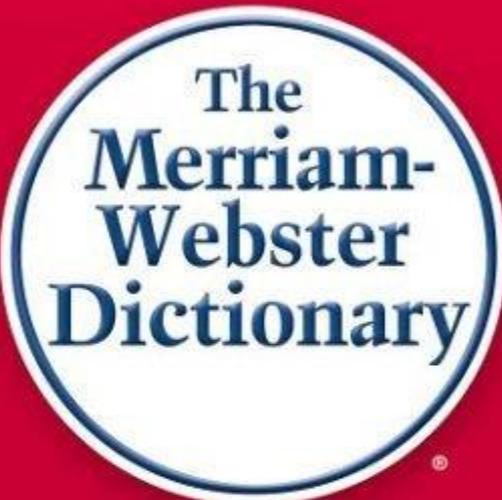
56 members of the  
Senate



GORDON



Based on Merriam-Webster's  
Collegiate<sup>®</sup> Dictionary, Eleventh Edition



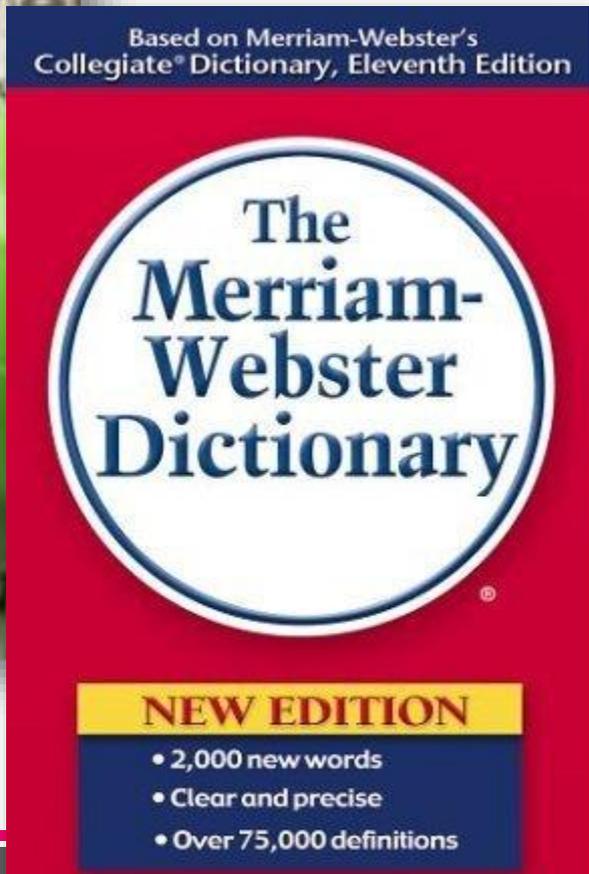
**The  
Merriam-  
Webster  
Dictionary**

**NEW EDITION**

- 2,000 new words
- Clear and precise
- Over 75,000 definitions



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**Legislation should be the  
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~ Pythagoras of Samos ~

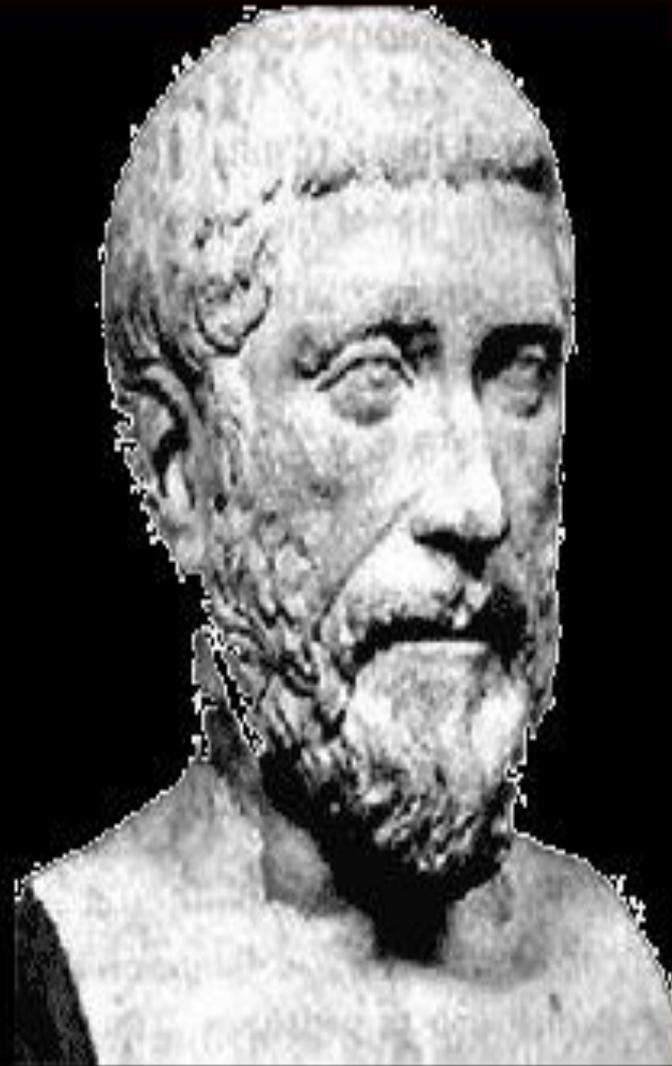


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**The voice of reason  
should not be  
legislated.**

> Theodore Roosevelt <





"Get ready! The next wave of legislation is rolling in."

## 2017-2018 Georgia Legislative Session

- 1,573 bills introduced

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- 542 bills signed by Governor Deal
- 30 bills vetoed by Governor Deal

**The less people know  
about how sausages  
and laws are made, the  
better they'll sleep at  
night.**

Otto von Bismarck

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

## HB 684

### *Status History*

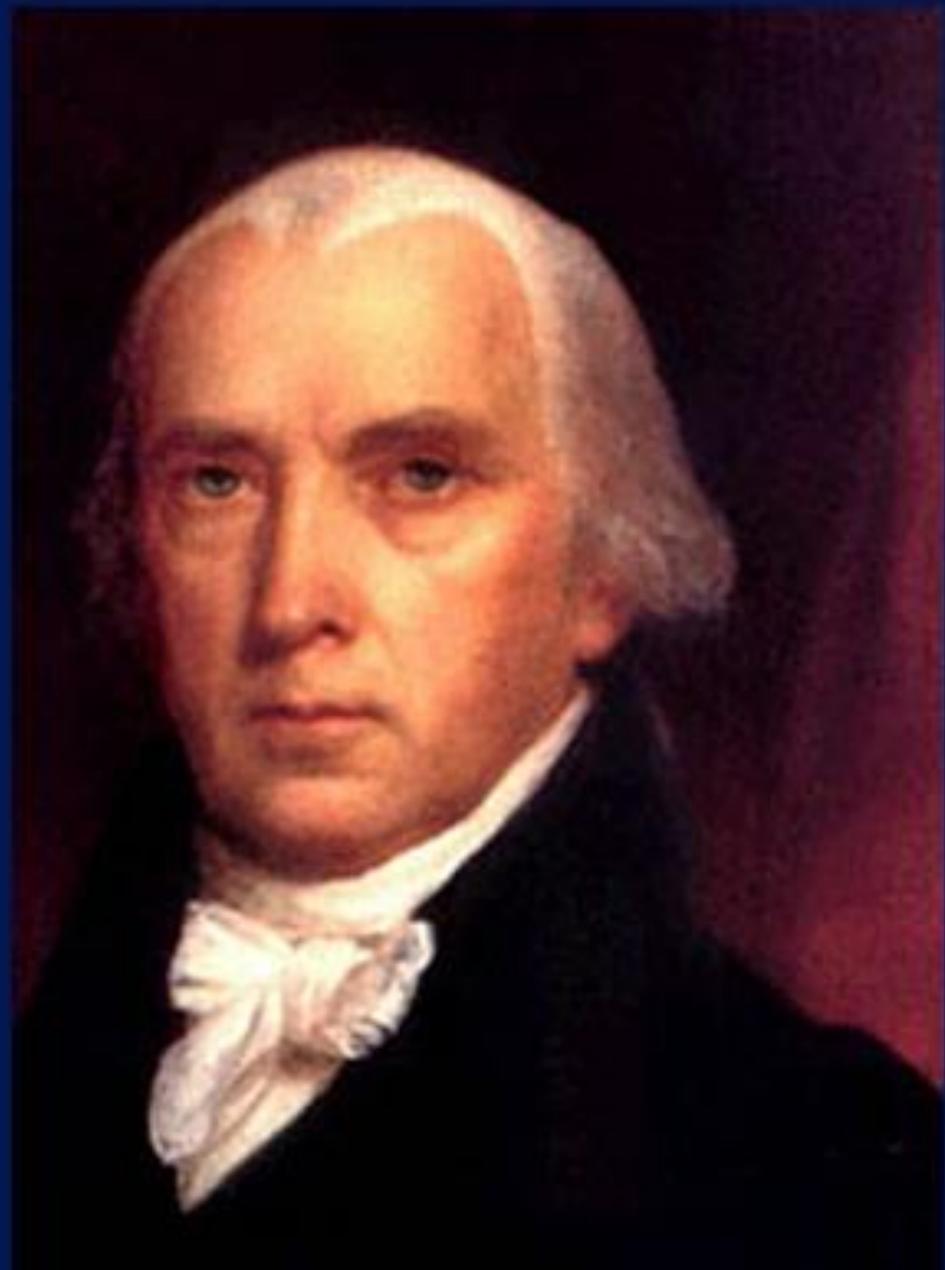
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Apr/03/2018 - House Sent to Governor  
Mar/29/2018 - House Conference Committee Report Adopted  
Mar/27/2018 - Senate Conference Committee Report Adopted  
Mar/23/2018 - Senate Conference Committee Appointed 49th, 46th, 4th  
Mar/23/2018 - House Conference Committee Appointed 116th, 159th, 47th  
Mar/23/2018 - House Insisted  
Mar/23/2018 - Senate Insisted  
Mar/23/2018 - House Disagreed Senate Amend or Sub  
Mar/23/2018 - Senate Transmitted House  
Mar/23/2018 - Senate Passed/Adopted By Substitute  
Mar/23/2018 - Senate Third Read  
Mar/21/2018 - Senate Read Second Time  
Mar/21/2018 - Senate Committee Favorably Reported By Substitute  
Mar/12/2018 - Senate Read and Referred  
Mar/09/2018 - House Passed/Adopted By Substitute  
Mar/09/2018 - House Third Readers  
Mar/07/2018 - House Committee Favorably Reported By Substitute  
Jan/19/2018 - House Second Readers  
Jan/18/2018 - House First Readers  
Jan/11/2018 - House Hopper

“It will be of little avail to the people if the laws are so voluminous that they cannot be read, or so incoherent that they cannot be understood”

~

James Madison

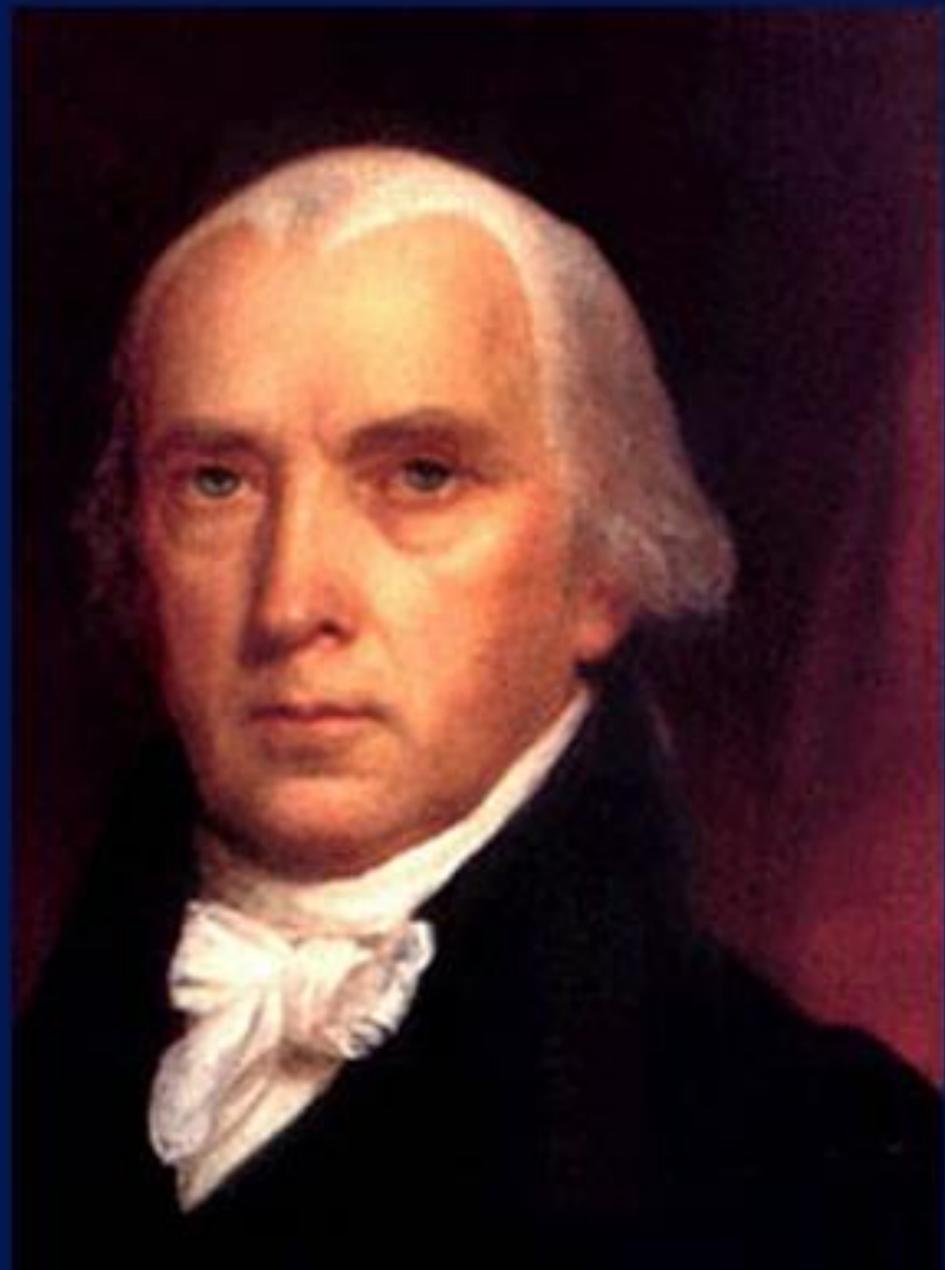


(f)(1) Any court having jurisdiction over violations of subsection (a) of this Code section shall have jurisdiction over cases arising under this subsection and shall be authorized to impose the civil monetary penalty provided by this subsection. Except as otherwise provided in this subsection, the provisions of law governing jurisdiction, procedure, defenses, adjudication, appeal, and payment and distribution of penalties otherwise applicable to violations of subsection (a) of this Code section shall apply to enforcement under this Code section except as provided in subsection (b) of this Code section; provided, however, that any appeal from superior or state court shall be by application in the same manner as that provided by Code Section 5-6-35.

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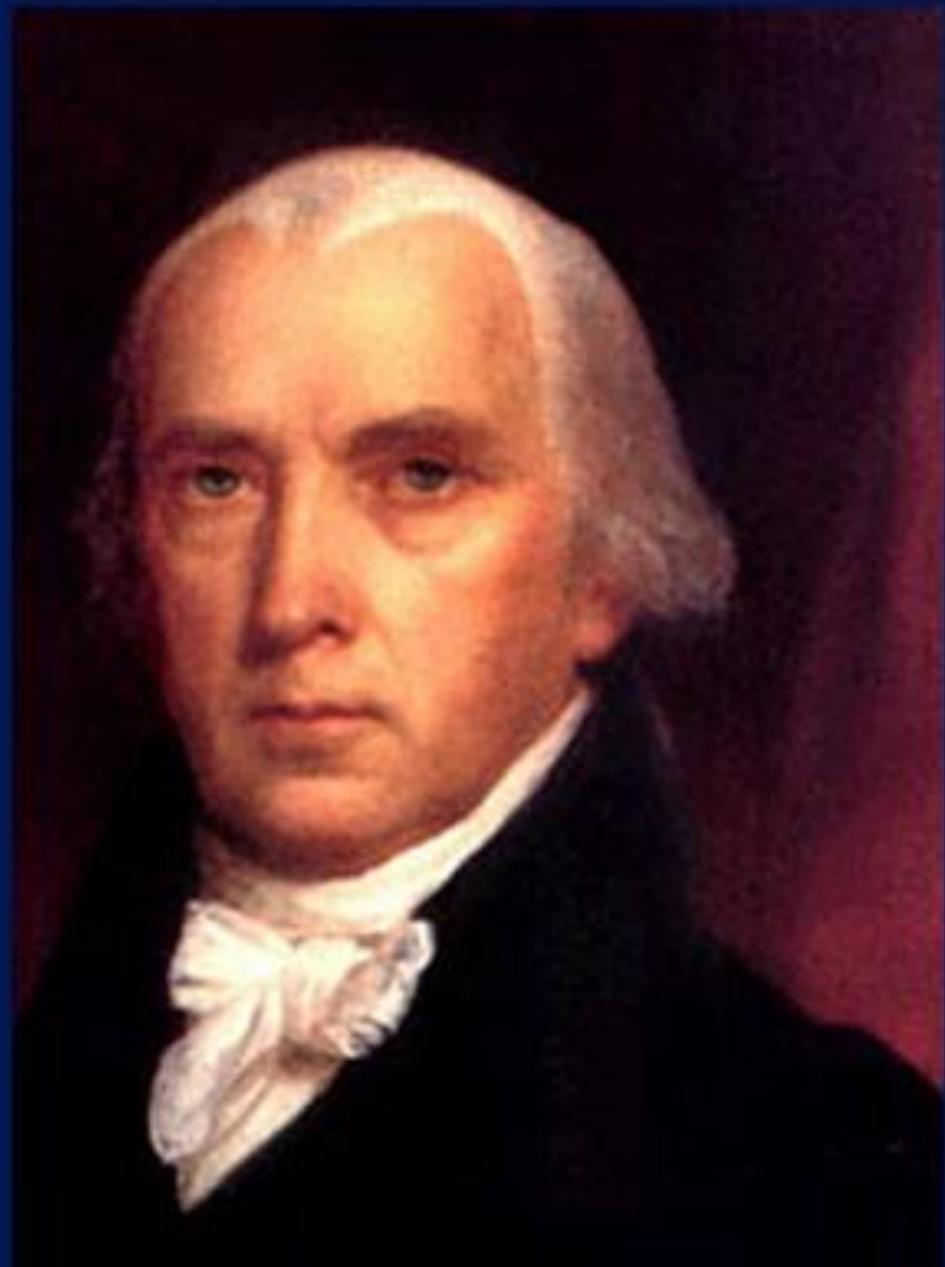
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# Selected 2017-2018 Legislation

## 2017-2018 Regular Session - **HB 763**

### Education; student attendance protocol committees to school climate; expand safety provisions

Mar/29/2018 - [House Vote #815](#) Yea (165) Nay (6) NV(7) Exc(2)

Mar/23/2018 - [Senate Vote #686](#) Yea (50) Nay (0) NV(1) Exc(5)

Feb/15/2018 - [House Vote #514](#) Yea (155) Nay (6) NV(9) Exc(10)

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14 **SECTION 1.**

15 Subpart 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
16 relating to compulsory attendance for students in elementary and secondary education, is  
17 amended by revising Code Section 20-2-690.2, relating to the establishment of student  
18 attendance protocol committees, membership and protocol, summary of penalties for failure  
19 to comply, and reporting, as follows:

20 "20-2-690.2.

21 (a) The chief judge of the superior court of each county shall establish a student attendance  
22 protocol and school climate committee for its such county. The purpose of the committee  
23 shall be to ensure coordination and cooperation among officials, agencies, and programs  
24 involved in compulsory attendance issues, to reduce the number of unexcused absences  
25 from school, ~~and~~ to increase the percentage of students present to take tests which are  
26 required to be administered under the laws of this state, and to improve the school climate

H. B. 763

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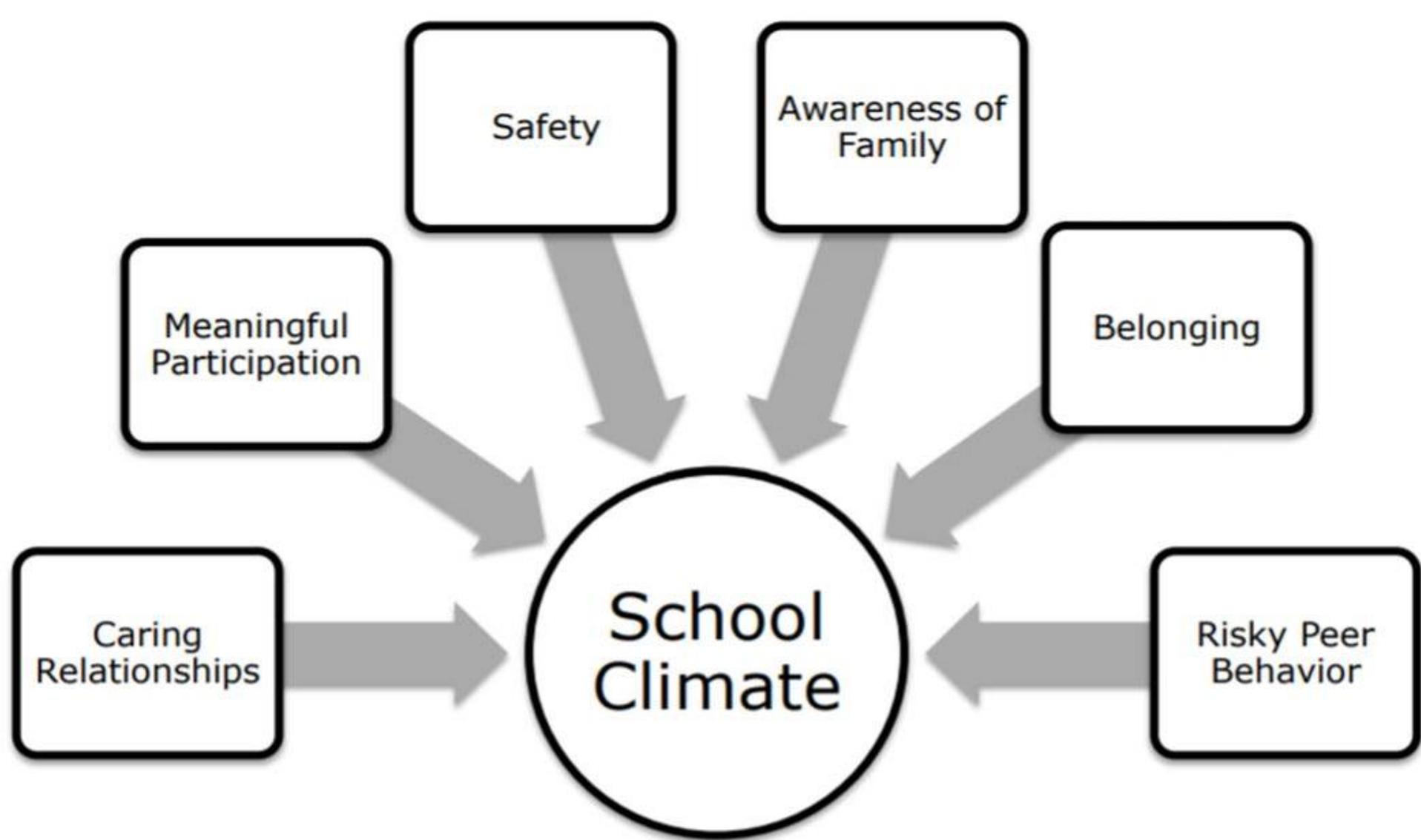
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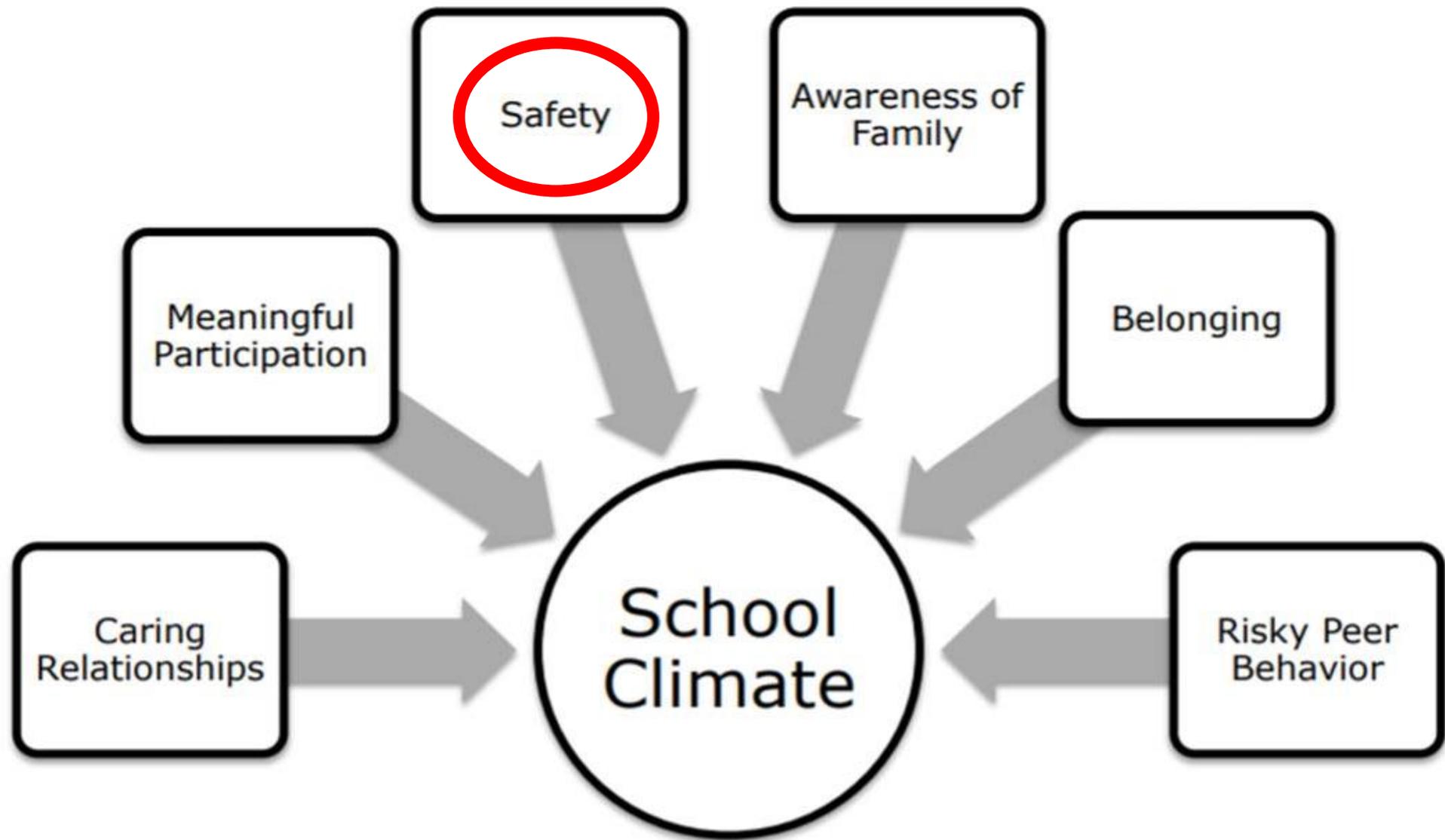
H. B. 763

- 1 -

- 43 (1) The chief judge of the superior court;
- 44 (2) The juvenile court judge or judges of the county;
- 45 (3) The district attorney for the county;
- 46 (4) The solicitor-general of state court, if the county has a state court;
- 47 (5) The Department of Juvenile Justice, which may include representatives from area
- 48 juvenile detention facilities as defined in Code Section 49-4A-1;
- 49 (6) The superintendent, a certificated school employee, and a local school board member
- 50 from each public school system in the county and a certificated school social worker from
- 51 each public school system, if any are employed by the school system;
- 52 (7) The sheriff of the county;
- 53 (8) The chief of police of the county police department;
- 54 (9) The chief of police of each municipal police department in the county;
- 55 (10) The county department of family and children services;
- 56 (11) The county board of health;
- 57 (12) The county mental health organization;
- 58 (13) The county Family Connection commission, board, or authority, or other county



Georgia Department of Education

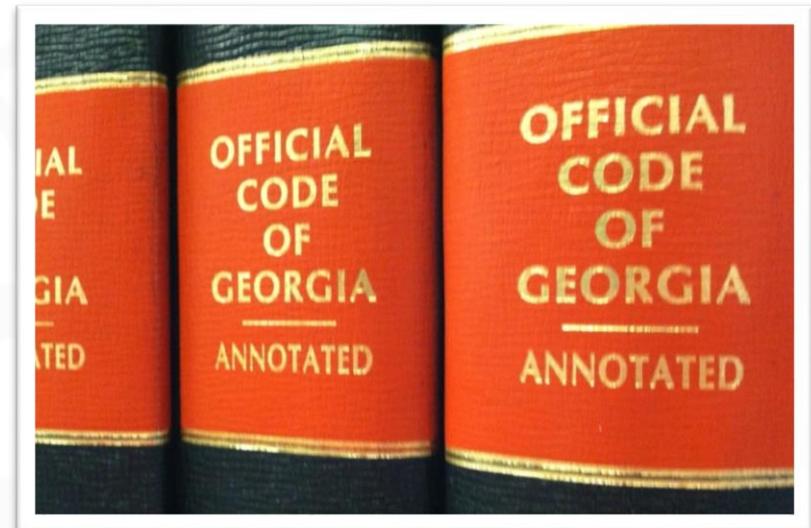


Georgia Department of Education

87 (f) The committee shall review and make recommendations for policies relating to school  
88 climate for the purpose of promoting positive gains in student achievement scores, student  
89 and teacher morale, community support, and student and teacher attendance, while  
90 decreasing student suspensions, expulsions, dropouts, and other negative aspects of the  
91 total school environment. Such review may include school climate ratings established  
92 pursuant to Code Section 20-14-33 for each school in the county school system and any  
93 independent school systems, if applicable. The committee may review, if available,  
94 nonidentifying data from student health surveys, data on environmental and behavioral  
95 indicators, data on student behavioral and school-based reactions, and teacher and parent  
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## State statute requires a School Climate Rating for each school



## Official Code of Georgia Annotated 20-14-33 School Climate Rating

## What is the School Climate Star Rating?

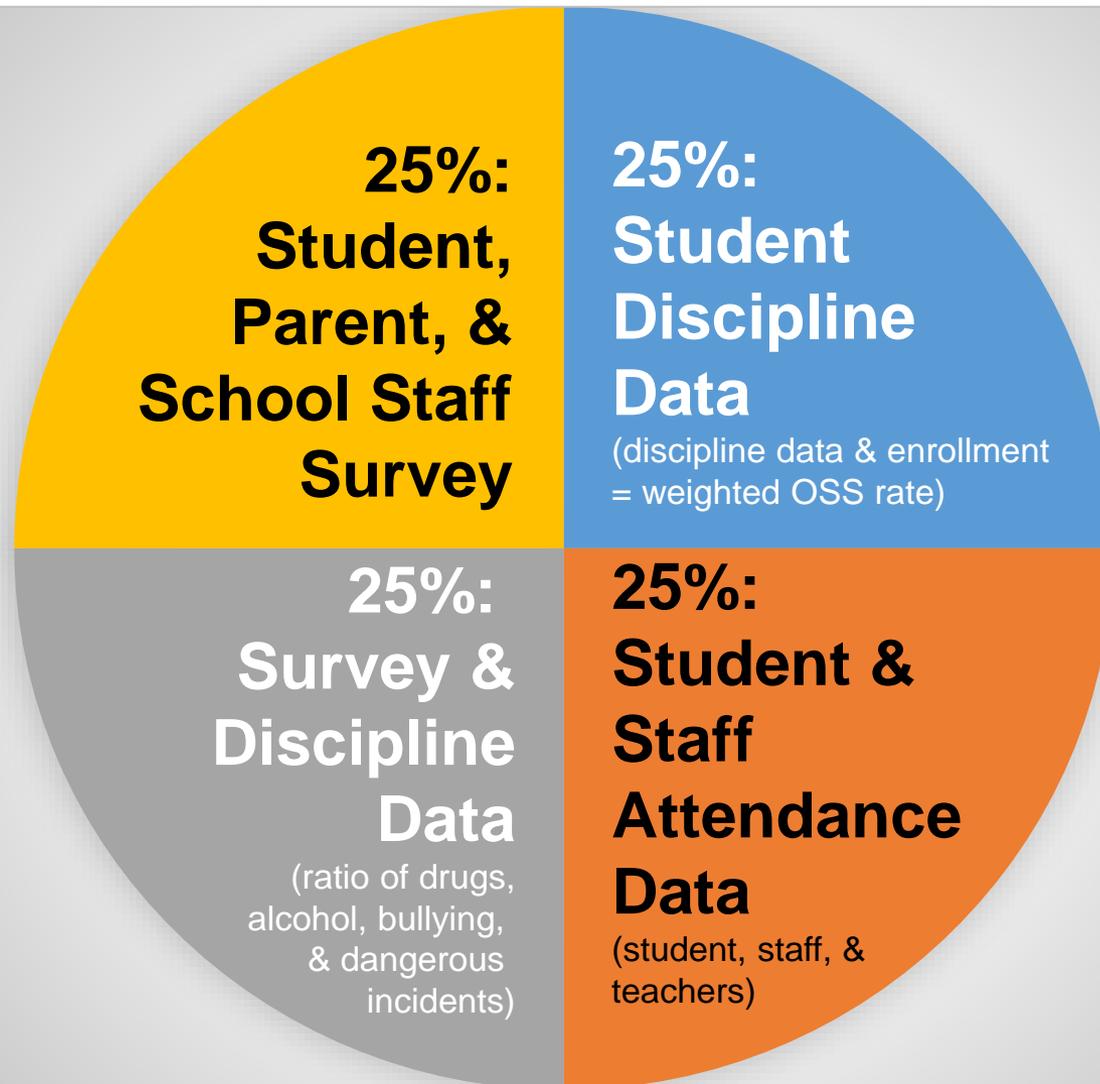
The **School Climate Star Rating** is a diagnostic tool to determine if a school is on the right path to school improvement and it addresses many elements of **school safety**.

Georgia School  
Climate  
Star Rating



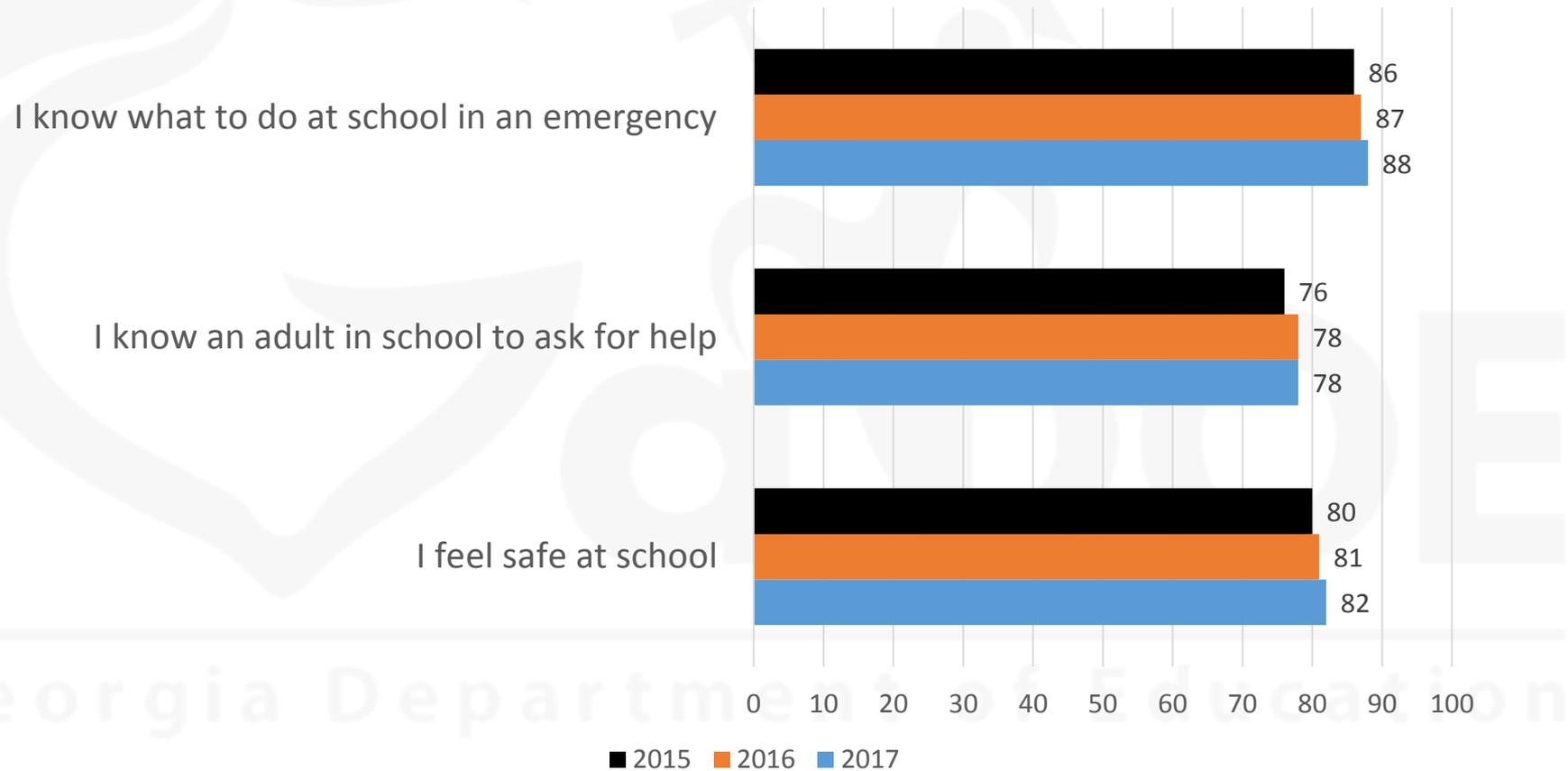
# School Climate Star Rating

Scale: 1 (unsatisfactory) – 5 (excellent)



# Georgia Student Health Survey

(1.3 million students)



Georgia Department of Education

# HB 763

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99 administrator, and other school personnel participation. **PBIS**

# CODE OF CONDUCT

Safety, Discipline, and School Climate

“Schools have adopted a variety of approaches to **improve school climate** in an effort to reduce student discipline problems and **increase school safety**.”

*-Quality Counts*

Georgia Department of Education

**School Climate** is the experience of school life and reflects norms, goals, values, social interactions, access, engagement, connections, teaching and learning practices, building quality, safety, and organizational practices.

*-National School Climate Center*

## Key Components of School Climate

**Safety**: the **physical** and **emotional safety** of students and the rules and procedures in place to ensure student safety

**Relationships**: **social support** from staff and between and among students

**Teaching and Learning**: a **positive and professional** student-staff **relationship**

**Institutional Environment**: the **physical environment** of the school/facility is welcoming, clean, well-kept, and safe

Research indicates that a positive school climate is critical to **overall school safety** (RAND Corporation; M. C. Wang, Haertel, and Walberg)

*“School climate is the only school characteristic that consistently correlates with school violence after taking into account other school features.”*

RAND Corporation

Georgia Department of Education

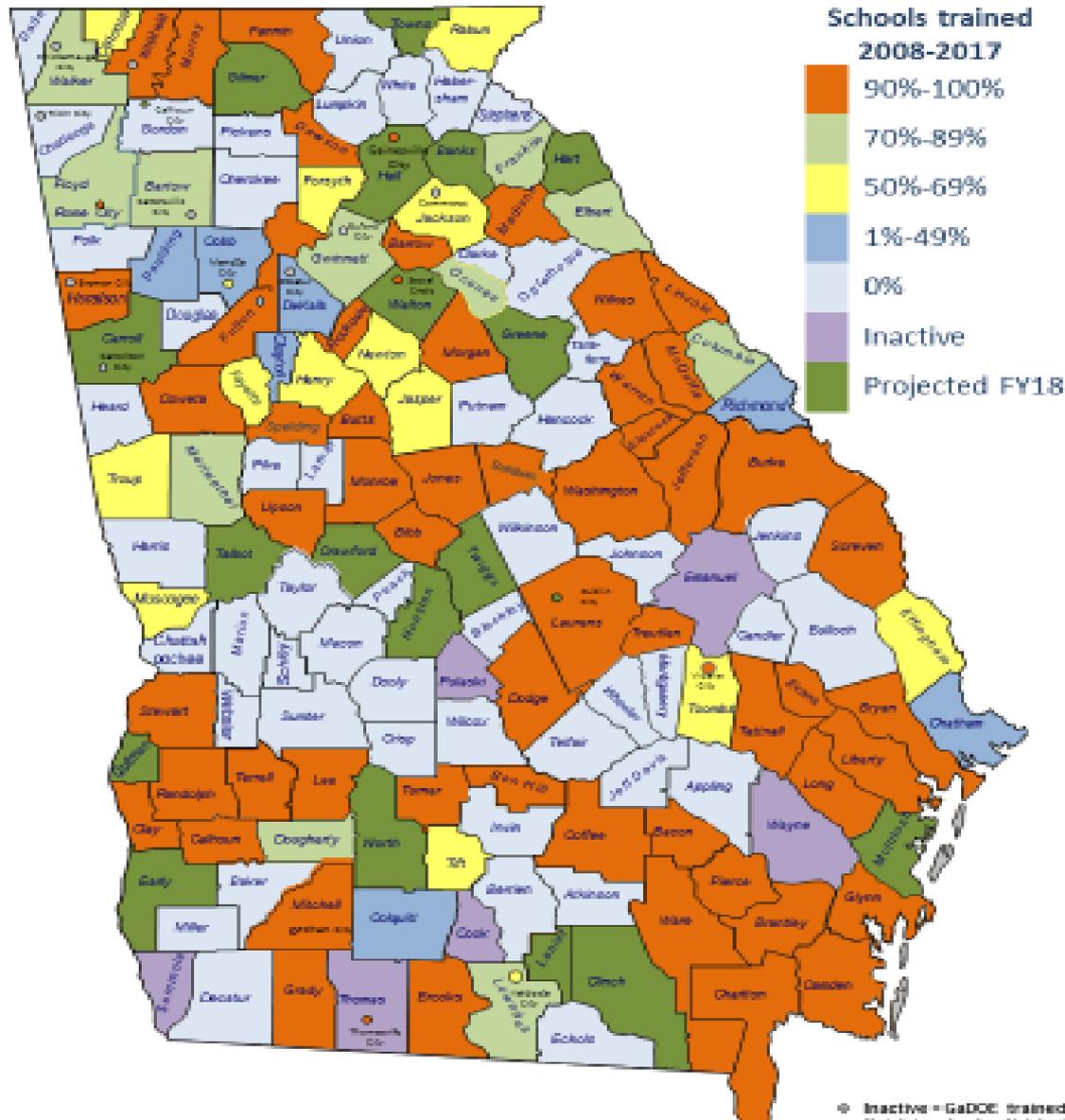
# CODE OF CONDUCT

Safety, Discipline, and School Climate

“The majority of schools that recognize the need to improve school climate are using school-wide behavioral-management strategies, such as **Positive Behavioral Interventions and Supports (PBIS)**.”

*-Quality Counts*

Georgia Department of Education

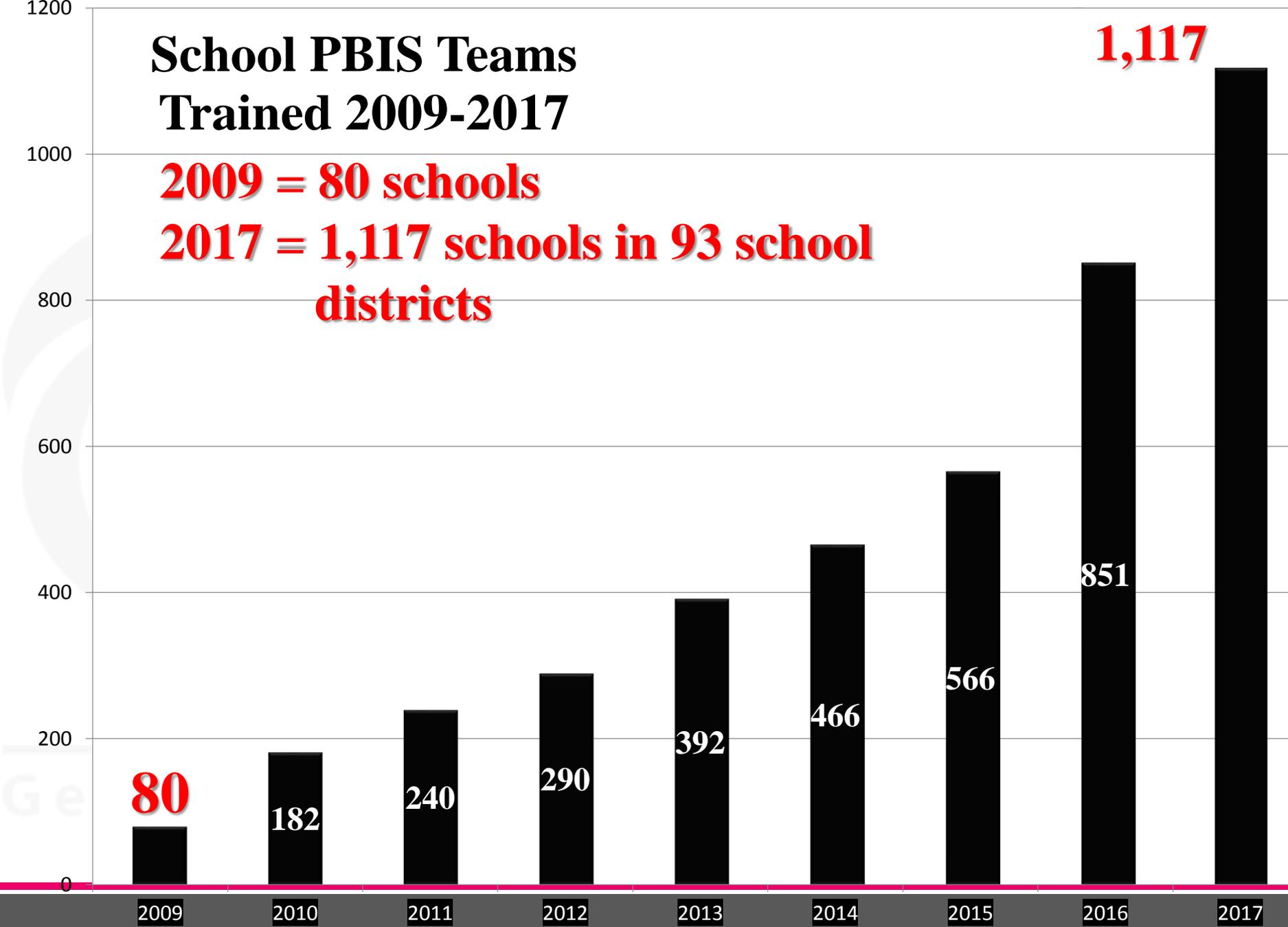


DOE  
of Education

# School PBIS Teams Trained 2009-2017

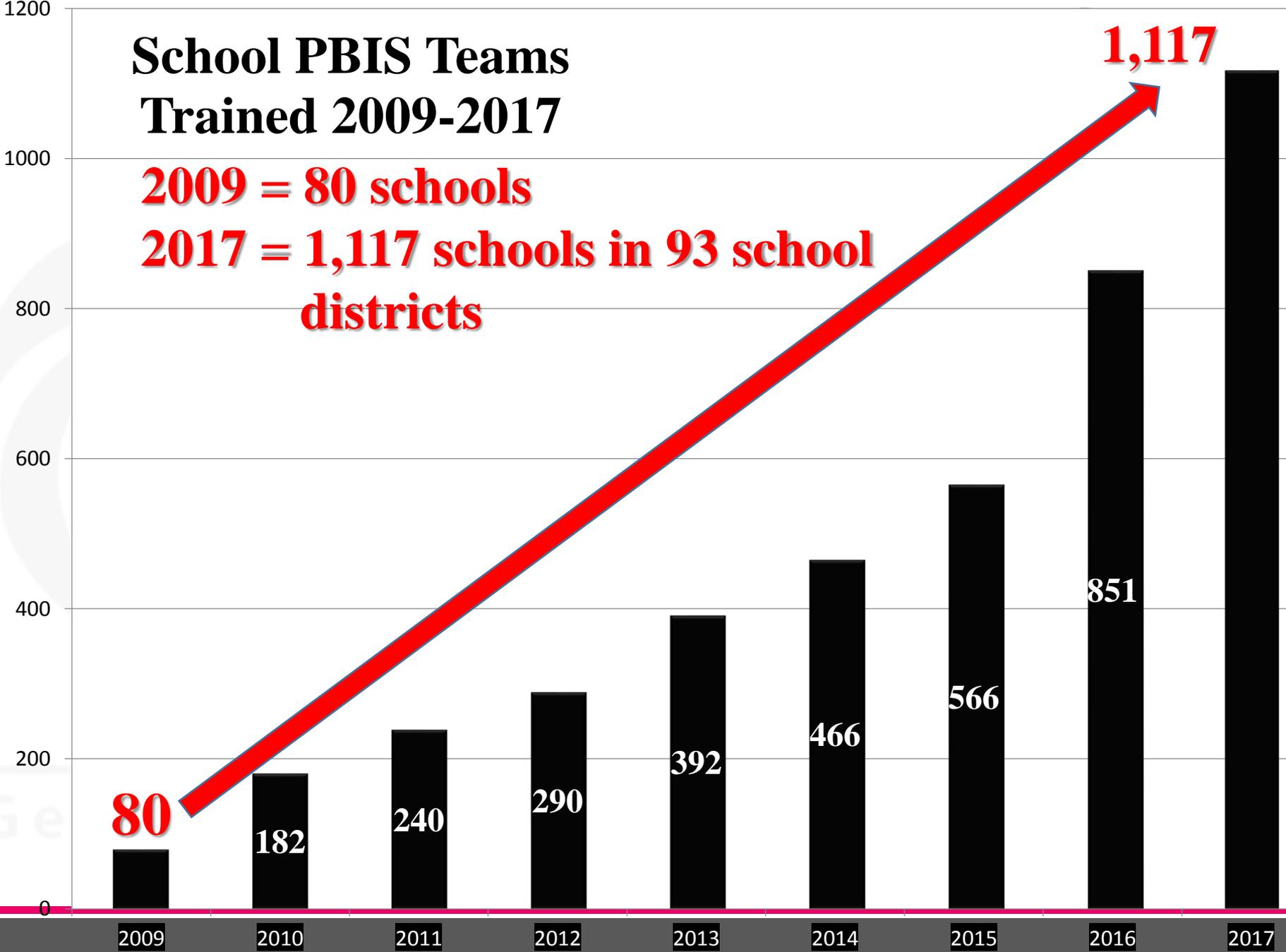
**2009 = 80 schools**  
**2017 = 1,117 schools in 93 school districts**

**1,117**



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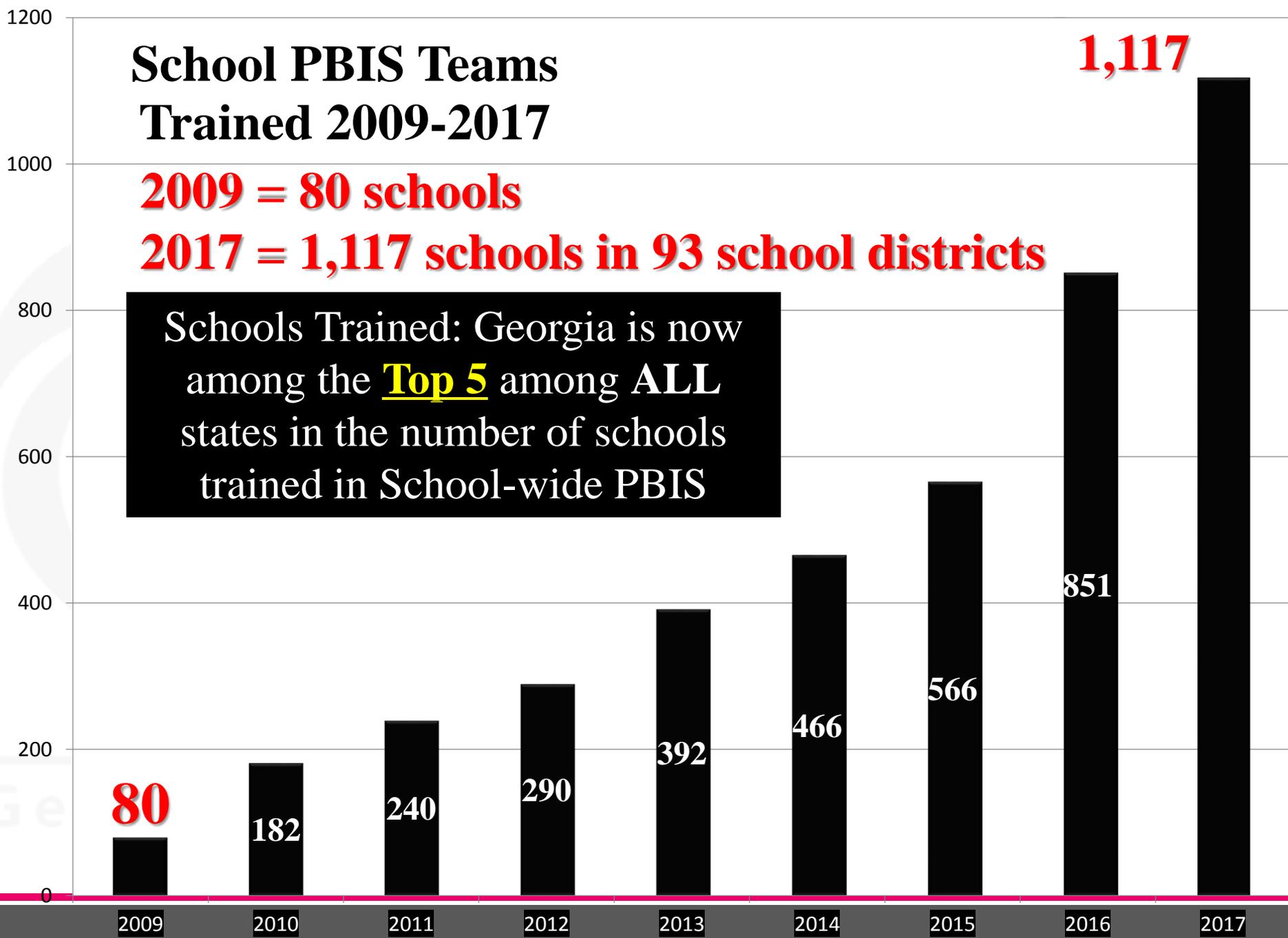
# School PBIS Teams Trained 2009-2017

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Schools Trained: Georgia is now among the **Top 5** among ALL states in the number of schools trained in School-wide PBIS



# School PBIS Teams Trained 2009-2017

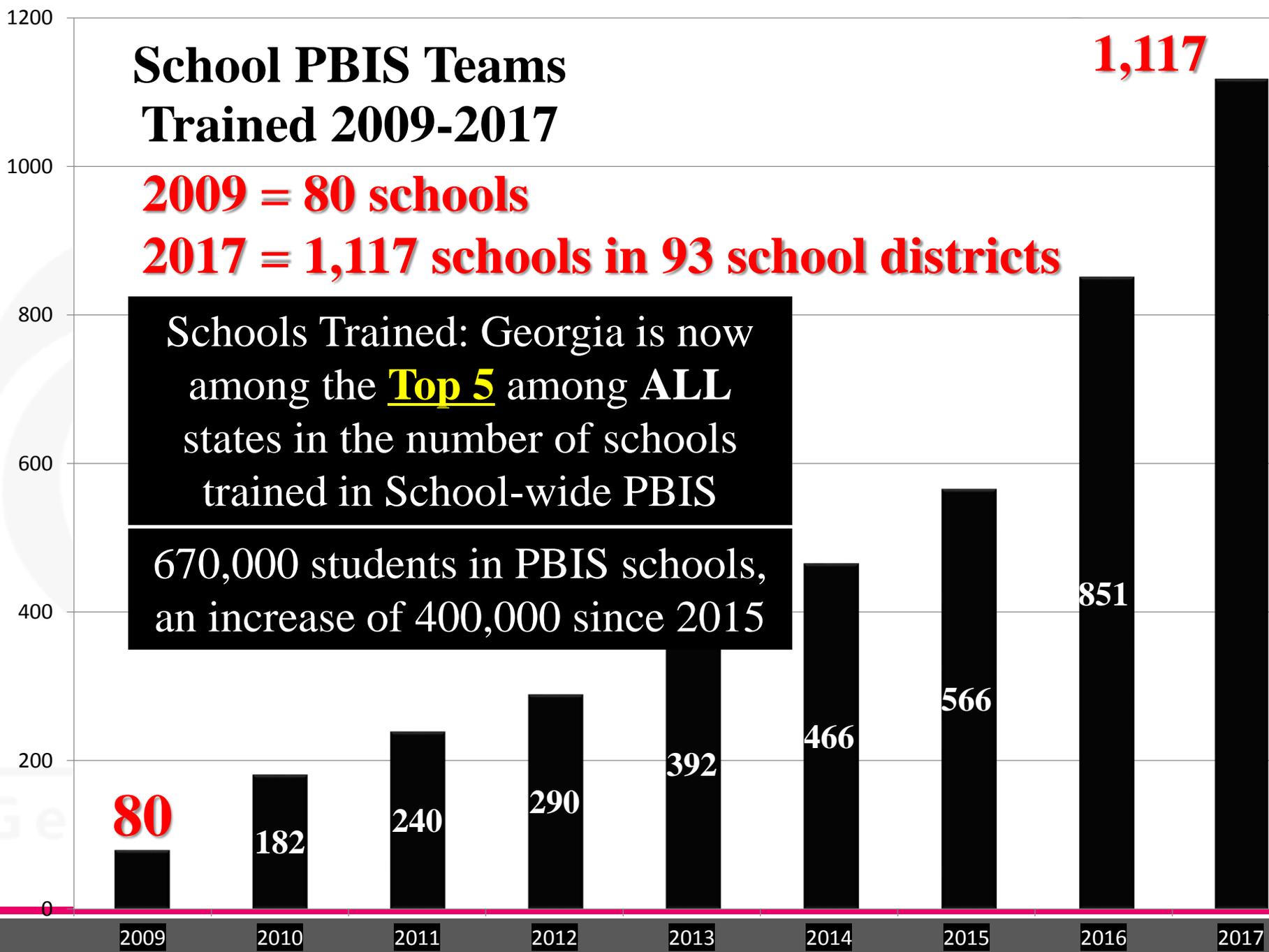
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670,000 students in PBIS schools, an increase of 400,000 since 2015

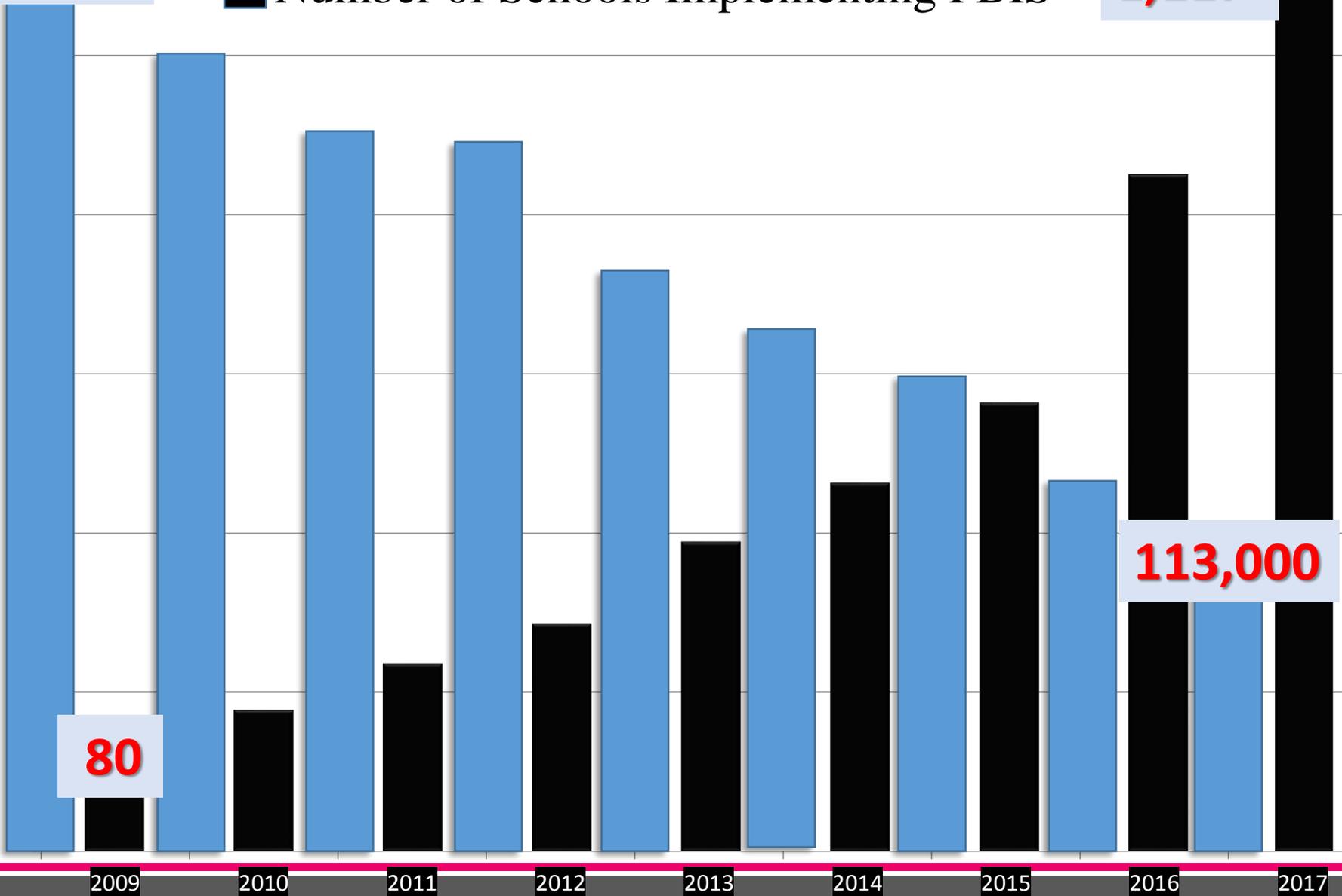


165,000

Number of Students Suspended Out of School

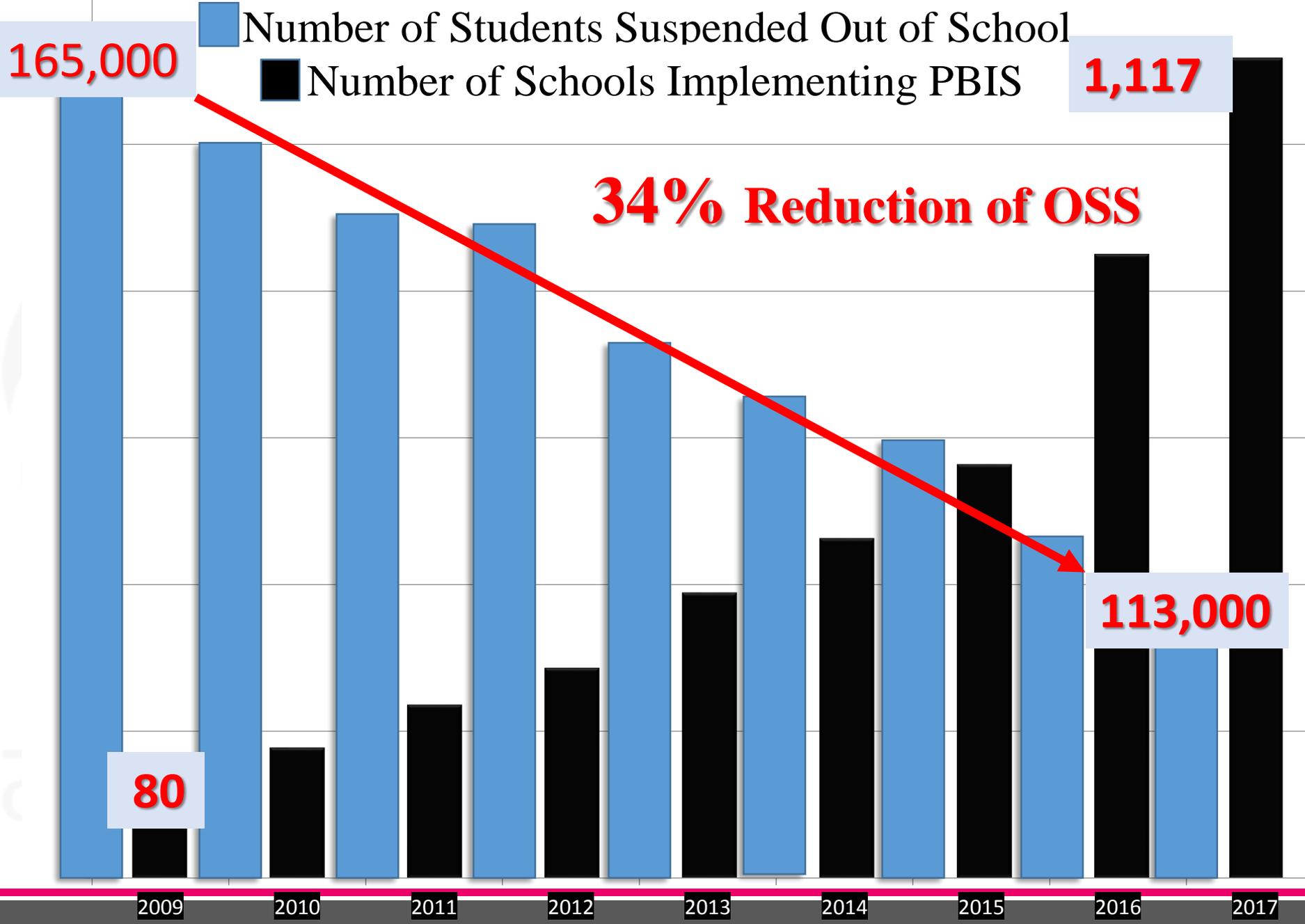
Number of Schools Implementing PBIS

1,117

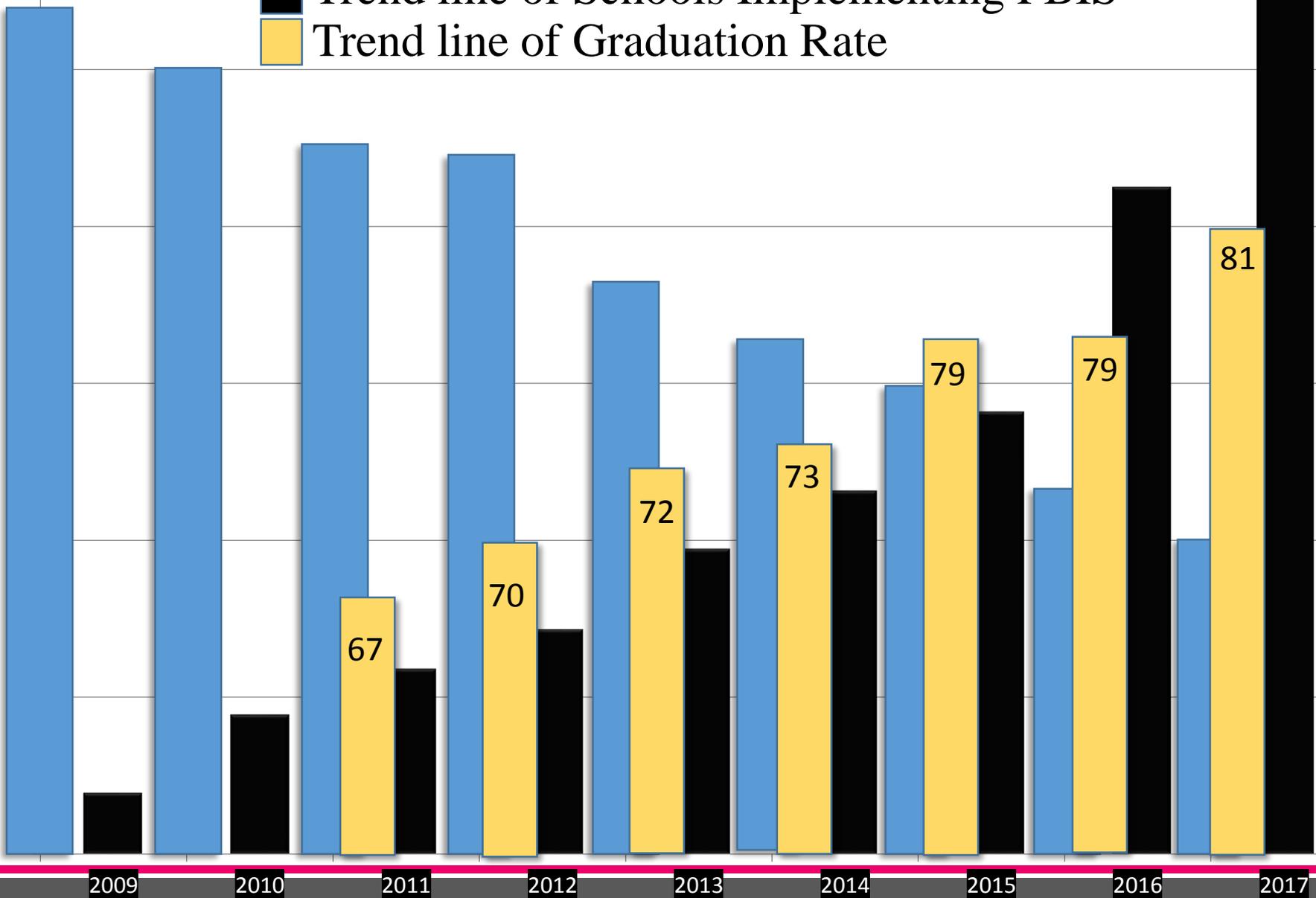


80

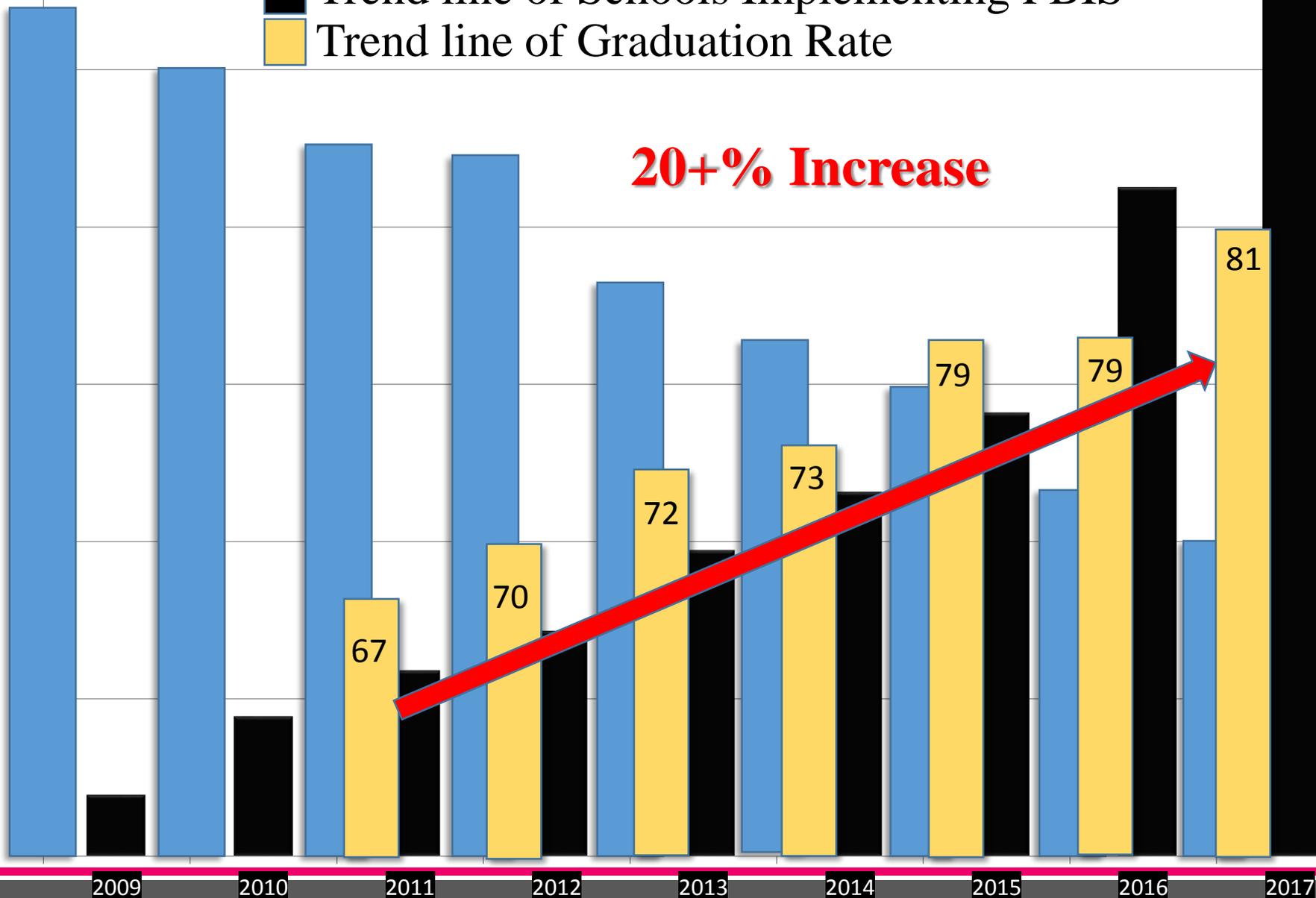
113,000



■ Trend line of Students Suspended Out of School  
■ Trend line of Schools Implementing PBIS  
■ Trend line of Graduation Rate



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# HB 763

113 "20-2-1185.

114 (a) Every public school shall prepare a school safety plan to help curb the growing  
115 incidence of violence in schools, to respond effectively to such incidents, and to provide  
116 a safe learning environment for Georgia's children, teachers, and other school personnel.  
117 Such plan shall also address preparedness for natural disasters, hazardous materials or  
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130 (2) Evaluating and refining school security measures;  
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H. B. 763

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H. B. 763

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Students' unmet mental health needs can be a *significant obstacle* to student academic, career and social/emotional development and **can compromise school safety** (Froeschle and Meyers)



Mental illness is one of the **top five** health conditions for children in the United States.

*(Zupp)*

**26%** of children in the United States will witness or experience a traumatic event before they turn age four.

*(National Center for Mental Health Promotion and Youth Violence Prevention)*



**Schools** are often one of the **first places** where mental health crises and mental health needs of students are recognized and initially addressed.

*(Froeschle and Meyers)*



If not addressed, the **student's mental health deteriorates.**

*(Froeschle and Meyers)*

What is and can be done  
to address children's  
mental health?



**Prevention and  
Intervention**

Georgia Department of Education

## Addressing Prevention and Intervention

- **PBIS** (*RESAs, Georgia Appleseed*)
- **Mental Health Awareness Training** (*NAMI and Mental Health America: two-tiered training*)
- **APEX Project** (*GaDBHDD*)
- **Suicide Prevention** (*GaDOE, NAMI, MHA, BHDD, DPH, GBI, Mercer U., GSU, American Academy of Pediatrics, SPAN-GA, Behavioral Health Link, Willowbrooke, Amerigroup*)
- **Trauma-Informed Schools** (*Child Welfare Training Consortium – state agencies, advocates, NGOs, and local initiatives like HC-WATCH*)
- **2<sup>nd</sup> Step Violence Prevention** (*State DFCS grants*)

## FY 2019 State Budget

**24.20.3** Provide funds for *student mental health awareness training* as a component of school climate and safety.

**24.20.4** Promote student, parent, and public awareness of the mental health *Crisis Access Line* through mobile application (in addition to phone lines), and utilizing Positive Behavioral Interventions and Supports (PBIS) program and mental health awareness training.

Georgia Department of Education



Georgia Crisis  
& Access Line  
**1-800-715-4225**  
mygcal.com

Georgia Department of Education



**SAFETY  
MATTERS.**

CALL 1-877-SAY-STOP • 24/7 SAFETY HOTLINE

Monitored 24/7 by the Georgia Department of Education and  
the Georgia Department of Public Safety



*April 25, 2018*

ATLANTA—Gov. Nathan Deal announced the launch of *See Something, Send Something*, a smartphone app that directs citizen concerns to local law enforcement.

*See Something, Send Something* operates statewide and nationwide, allowing citizens to report suspicious activity and concerns about safety and security.



Georgia Department of  
Public Safety

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H. B. 763

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# Georgia Department of Education School Safety Resources



Richard Woods,  
Georgia's School Superintendent  
*"Educating Georgia's Future"*  
[ga.doe.org](http://ga.doe.org)

- Crisis Management and Prevention in Georgia Public Schools
- Guide for Developing High-Quality School Emergency Operations Plans
- School Safety Checklist
- School Safety Hotline
- Responding to a School Crisis
- Trauma's Impact on Children Exposed to Violence
- School Emergency Management Tool Box
- Bullying Prevention Toolkit
- Anti-Cyberbullying Toolkit
- Suicide Prevention Resources
- Human Trafficking Prevention/Intervention Toolkit
- Complex Trauma - Resource Guide for Youth

# Crisis Management and Prevention in Georgia Public Schools



Richard Woods,  
Georgia's School Superintendent  
"Educating Georgia's Future"  
[ga.doe.org](http://ga.doe.org)

GEORGIA DEPARTMENT OF EDUCATION

## Crisis Management and Prevention Information for Georgia Public Schools

Georgia Department of Education

**Prevention/Mitigation** is the action schools take to prevent a threatened or actual incident from occurring or reducing the likelihood that an incident will happen.

**Preparedness** focuses on ongoing actions that protect students, teachers, staff, visitors, networks, and property from a threat or hazard.

**Response** is the capability necessary to stabilize a crisis once it has already happened or is certain to happen in an unpreventable way; establish a safe and secure environment; save lives and property; and facilitate the transition to recovery.

**Recovery** the capability necessary to assist schools affected by a crisis in restoring the learning environment.

# Crisis Management and Prevention in Georgia Public Schools



GEORGIA DEPARTMENT OF EDUCATION

## Crisis Management and Prevention Information for Georgia Public Schools

Georgia Department of Education

### Sample Crisis/Emergency Response Procedures

- ❖ Emergency Kits
- ❖ Emergency Evacuation and Reunification
- ❖ Accident, Illness, Injury
- ❖ Bomb Threat, Suspicious Package
- ❖ Bomb Threat Call Checklist
- ❖ Closing School: Weather/Shelter-in-Place
- ❖ Death of Staff Member or Student/Suicide
- ❖ Fire
- ❖ Hazardous Materials/Nuclear Threat
- ❖ Intruder/Suspicious Person/Hostage/Barricade
- ❖ Student Disruption/Civil Disturbance
- ❖ Student Runaway/Abduction/Missing Student
- ❖ Report of Weapon on Campus
- ❖ When Shots are Fired
- ❖ Tornado
- ❖ Flooding

# Crisis Management and Prevention in Georgia Public Schools



GEORGIA DEPARTMENT OF EDUCATION

## Crisis Management and Prevention Information for Georgia Public Schools

Georgia Department of Education

- ❖ Earthquake
- ❖ Hurricane
- ❖ Utility Emergency/After-Hours Emergency
- ❖ Bacteria or Micro-organism Threat
- ❖ Helpful Tips and Information
- ❖ How to Deal with the News Media
- ❖ Quick Reference Guide
- ❖ Poison Control/Emergency

### Sample Crisis Preparedness and Response for Other Crisis Situations

- ❖ Stadium Emergency Evacuation
- ❖ Emergency Shelter Protocol
- ❖ Other Hazards (Railroads, Airport, Chemical)



## School Safety Training

Training on school safety issues is provided through a series of statewide conferences, regional workshops and presentations provided at the request of local communities.

A local agency or school may request any of the following programs:

### Active Shooter

Incidents involving active shooters have become all too familiar.

Through this training we will identify a true active shooter, examine the history of active shooter incidents and discuss the possible responses to various active shooter situations. We will also explore pro-active steps that can be taken to possibly reduce the likelihood of an incident occurring.





## Bomb Threat Management

This course examines how to develop a Bomb Threat Management Plan to handle the many types of threats that may occur. This class discusses the types of threats, how and when to evacuate, as well as how to conduct searches for suspicious packages.

## Bomb Threat Search Techniques

This course examines the different search techniques that can be utilized to thoroughly and quickly search for suspicious packages after a bomb threat has been received. Also discussed in this program is who should search, where should we search, how to conduct a search, and what to do if a suspicious package or device is discovered.

## Bullying Prevention

This program identifies the types of bullies and discusses the bullying dynamic of why students are bullied and why bullies act the way they do. This class also examines prevention techniques that can be implemented in schools and the laws concerning bullying.



## Cafeteria Safety

This program discusses how to keep your school cafeteria and its staff safe and secure and their role in the emergency operations plan. It also discusses how to prepare for the possibility of natural or man-made disasters.

## Current Drug Trends in Schools

This program examines the types of drugs that are commonly utilized by students in schools. The class discusses various drugs, their signs and symptoms, and concealment areas often used by students.

## Emergency Operations Planning for Schools

This program examines the planning process and what aspects should be covered in the Emergency Operations Plan according to the law. This class also discusses self-assessment tips for reviewing a schools plan.

## **Gang Awareness**

This program examines the reasons why students become involved in gangs. It also examines how children are initiated in gangs, their basic signs and symbols, and provides suggestions that may help school administrators handle the growing problem of gang activity in schools. The information provided can be used during normal school hours as well as during after school activities.

## **Home Visit Safety**

This program examines the risks associated with home visits and identifies ways to reduce those risks to school personnel. This course discusses pre-planning, visual weapons screening, crime prevention methods, and how to recognize possible criminal activity.

## **Implications for Terrorism in Schools**

This program discusses the Homeland Security Threat Levels and what school safety and security techniques should be implemented in response to each threat level. Also discussed in depth is the Beslan, Russia school terrorism siege.

## **Severe Weather**

This course examines the weather-related dangers that pose specific risks to schools. This program also discusses the types of watches and warnings issued by the National Weather Service, proper response procedures, and proper safe-sheltering areas within the school facility.

## **Site Safety Awareness**

This course discusses how to conduct effective site safety surveys. This course examines how to assess policy and procedures, site maps, perimeter control, as well as the safety and security of the entire school facility and its many components.

## **Teacher's Safety Course**

This course examines the teacher's role in the emergency operations plan and what they can expect in emergency situations. This class also discusses techniques for keeping a safe classroom environment.

## **Threat Assessment in Schools**

138 Such plans of public schools shall be submitted to the local emergency management agency  
139 and the local law enforcement agency for approval.

140 (b) A public school may request funding assistance from the state for facilities,  
141 technology, or other safety improvements or initiatives, such as the installation of safety  
142 equipment, including, but not limited to, video surveillance cameras, metal detectors,  
143 alarms, communications systems, building access controls, and other similar security  
144 devices. The Department of Education shall establish criteria that will be applied in  
145 reviewing funding requests pursuant to this subsection which shall take into consideration  
146 the physical security needs of the public school in evaluating how the school safety plan  
147 and funding request will support such physical security needs. Funding may be provided  
148 to a public school in accordance with a school safety plan prepared by the school and  
149 approved by the local board of education, the local law enforcement agency, the  
150 Department of Education, and the Georgia Emergency Management and Homeland  
151 Security Agency; provided, however, that a public school shall be required to match the  
152 state funding with local funds unless the school can demonstrate a substantial hardship.

138 Such plans of public schools shall be submitted to the local emergency management agency  
139 and the local law enforcement agency for approval. **Safety Plans must be approved**

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152 state funding with local funds unless the school can demonstrate a substantial hardship.



## Georgia Emergency Management & Homeland Security Agency

- GEMA with the GaDOE will host a statewide conference call to all local school systems to talk about a safety assessment at every public school in the state, which GEMA will conduct using Critical Infrastructure assets with assistance from the GaDOE.
- GEMA school safety assessment is called a "site survey" which has 230 items.
- GEMA will make Safe School Plan recommendations.

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144 **FY 19 State Budget**  
145 **Section 50: Georgia General Obligation Funds - New Bonds**  
146 **50.2.3.9 [Bond # 9]**  
147 **\$16,000,000 in 5-year bonds for school facility safety grants**

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152 state funding with local funds unless the school can demonstrate a substantial hardship.

158 (d) The Georgia Emergency Management and Homeland Security Agency shall provide  
159 training and technical assistance to public school systems, and may provide this same  
160 training and technical assistance to private school systems; and independent private schools  
161 throughout this state in the area of emergency management and safe school operations.  
162 This training and technical assistance shall include, but not be limited to, crisis response  
163 team development, site surveys and safety audits, crisis management planning, exercise  
164 design, safe school planning, emergency operations planning, search and seizure, bomb  
165 threat management, and model school safety plans.

166 (e) Every public school shall conduct drills with students, teachers, and other school  
167 personnel on the execution of school safety plans in such form and at such intervals based  
168 upon guidance from the Georgia Emergency Management and Homeland Security  
169 Agency."

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**DOCUMENT SAFETY DRILLS**

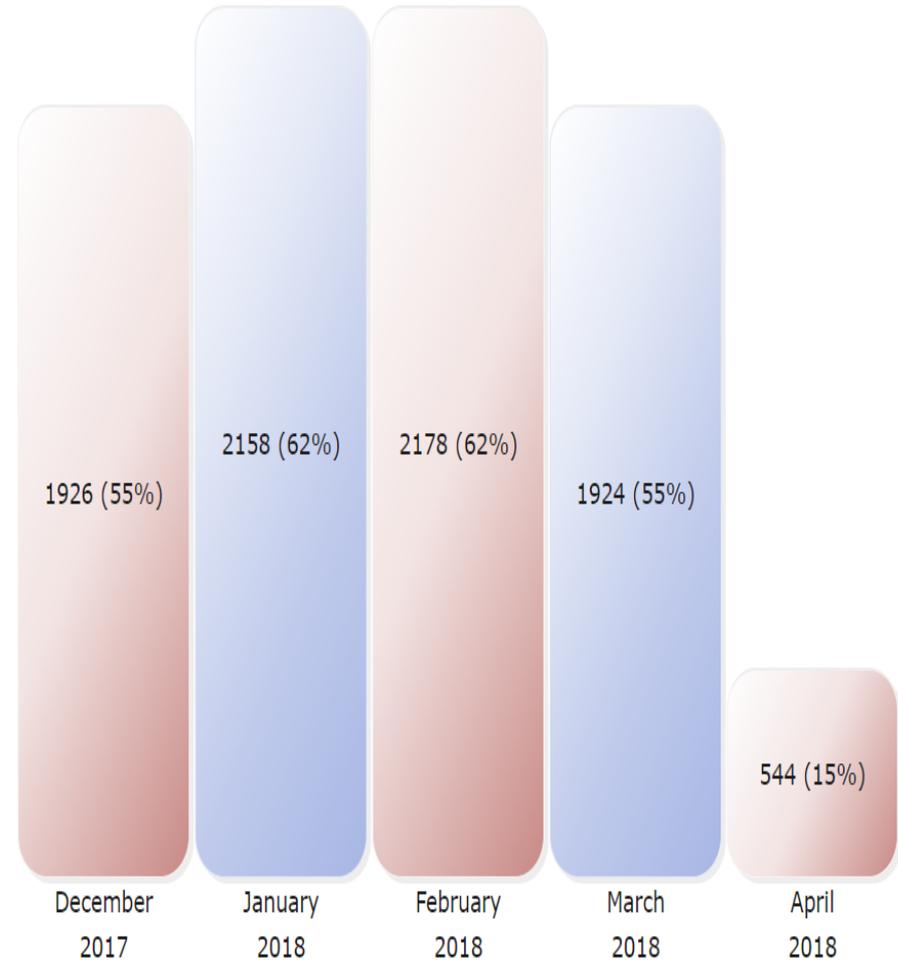
Pursuant to Life Safety Code 11-7-.1, **all** public and private schools must conduct monthly fire drills **while in session**. This web page enables you to check a school's fire safety drill record. To date, for April, we have received fire drill reports from 544 schools out of 3469 (15%).

To view your child's school fire and severe weather reports, you must first select the county in which the school is located from the listing below, then the next drop down will display a new selection option of schools within the chosen school system. School names with a + have submitted a fire drill report for this month. Once you select the school from the drop down, the chosen school fire drill report will display at the bottom.

If you do not see your school listed below, please contact the State Fire Marshal's Office, Fire Safety Education Section at 404-463-6512.

Please choose a school system from below then a school to display their drill reports.

Select a School System ▼



Parents: check your school

Secure | <https://www.oci.ga.gov/PublicEducation/SchoolFireDrillReport.aspx>



## Office of Insurance and Safety Fire Commissioner

Home Agents Agencies Captives Insurers Limited Risk Fire Marshal Industrial Loan Consumer Services Premium Tax Legal Fraud Search

BACK

### + Dunwoody High School

Choose a Year: 2018 ▼

Report For Year: 2018

DRILL DATE	NUMBER OF PEOPLE	RESPONSE TIME	DRILL TYPE
04/12/2018	1900	04:40	Fire Drill
03/27/2018	1900	04:31	Fire Drill
03/23/2018	1900	30:00	Lock Down Drill
02/20/2018	2000	04:08	Lock Down Drill
02/09/2018	2000	05:16	Severe weather Drill
01/09/2018	151	03:00	Fire Drill

**Office of Insurance and Safety Fire Commissioner will add "School Safety Plan Drills" to the online reporting system.**

170

### SECTION 3.

171 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public  
172 disclosure is not required under the open records laws, is amended by adding a new  
173 paragraph to subsection (a) to read as follows:

174 "(25.1) School safety plans prepared pursuant to Code Section 20-2-1185, whether in the  
175 possession of a local school system, a local law enforcement agency, a local emergency  
176 management agency, the Department of Education, the Georgia Emergency Management  
177 and Homeland Security Agency, or any other public entity;"



Wait a minute...

...there's  
more.

**CAUTION**



**LEGISLATIVE  
FACTORS  
BELOW**

## 2017-2018 Regular Session - HB 673

### Motor vehicles; prohibit actions which **distract a driver** while operating a motor vehicle; provisions

- Apr/06/2018 - House Sent to Governor
- Mar/29/2018 - House Agreed Senate Amend or Sub
- Mar/29/2018 - Senate Agreed House Amend or Sub As Amended
- Mar/29/2018 - House Agreed Senate Amend or Sub As Amended
- Mar/27/2018 - Senate Passed/Adopted By Substitute
- Mar/27/2018 - Senate Third Read
- Mar/23/2018 - Senate Read Second Time
- Mar/23/2018 - Senate Committee Favorably Reported By Substitute
- Mar/01/2018 - Senate Read and Referred
- Feb/28/2018 - House Passed/Adopted By Substitute
- Feb/28/2018 - House Third Readers
- Feb/22/2018 - House Committee Favorably Reported By Substitute
- Jan/18/2018 - House Second Readers
- Jan/11/2018 - House First Readers
- Jan/10/2018 - House Hopper

## **2017-2018 Regular Session - HB 673**

### **Motor vehicles; prohibit actions which distract a driver while operating a motor vehicle; provisions**

Mar/29/2018 - [House Vote #883](#) Yea(144) Nay (18) NV(15)Exc(3)

Mar/29/2018 - [Senate Vote #808](#) Yea(52) Nay (1) NV(2)Exc(1)

Mar/29/2018 - [House Vote #823](#) Yea(147) Nay (23) NV(6)Exc(4)

Mar/27/2018 - [Senate Vote #741](#) Yea(55) Nay (0) NV(0)Exc(1)

Mar/27/2018 - [Senate Vote #740](#) Yea(19) Nay (32) NV(4)Exc(1)

Feb/28/2018 - [House Vote #650](#) Yea(151) Nay (20) NV(4)Exc(5)

Feb/28/2018 - [House Vote #649](#) Yea(36) Nay (136) NV(2)Exc(6)

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Feb/28/2018 - [House Vote #649](#) Yea(36) Nay (136) NV(2)Exc(6)

53

### SECTION 3.

54 Said title is further amended by revising subsections (d) and (e) of Code Section 40-6-165,  
55 relating to operation of school buses, as follows:

56 "(d) The driver of a school bus shall not use or operate a ~~cellular telephone~~ wireless  
57 telecommunications device, as such term is defined in Code Section 40-6-241, or two-way  
58 radio while loading or unloading passengers.

59 (e) The driver of a school bus shall not use or operate a ~~cellular telephone~~ wireless  
60 telecommunications device, as such term is defined in Code Section 40-6-241, while the  
61 bus is in motion, unless it is being used in a similar manner as a two-way radio to allow

H. B. 673

- 2 -

77 (3) 'Wireless telecommunications device' means a cellular telephone, a portable  
78 telephone, a text-messaging device, a personal digital assistant, a stand-alone computer,  
79 a global positioning system receiver, or substantially similar portable wireless device that  
80 is used to initiate or receive communication, information, or data. Such term shall not  
81 include a radio, citizens band radio, citizens band radio hybrid, commercial two-way  
82 radio communication device or its functional equivalent, subscription based emergency  
83 communication device, prescribed medical device, amateur or ham radio device, or  
84 in-vehicle security, navigation, or remote diagnostics system.

85 (b) A driver shall exercise due care in operating a motor vehicle on the highways of this  
86 state and shall not engage in any actions which shall distract such driver from the safe  
87 operation of such vehicle, provided that, except as prohibited by Code Sections 40-6-241.1  
88 and 40-6-241.2, the proper use of a radio, citizens band radio, mobile telephone, or amateur  
89 or ham radio shall not be a violation of this Code section.

- 90 (c) While operating a motor vehicle on any highway of this state, no individual shall:
- 91 (1) Physically hold or support, with any part of his or her body a:
- 92 (A) Wireless telecommunications device, provided that such exclusion shall not
- 93 prohibit the use of an earpiece, headphone device, or device worn on a wrist to conduct
- 94 a voice based communication; or
- 95 (B) Stand-alone electronic device;
- 96 (2) Write, send, or read any text based communication, including but not limited to a text
- 97 message, instant message, e-mail, or Internet data on a wireless telecommunications

H. B. 673

- 3 -

- 149 (g) Subsections (c) and (d) of this Code section shall not apply when the prohibited  
150 conduct occurred:
- 151 (1) While reporting a traffic accident, medical emergency, fire, an actual or potential  
152 criminal or delinquent act, or road condition which causes an immediate and serious  
153 traffic or safety hazard;
- 154 (2) By an employee or contractor of a utility services provider acting within the scope  
155 of his or her employment while responding to a utility emergency;
- 156 (3) By a law enforcement officer, firefighter, emergency medical services personnel,  
157 ambulance driver, or other similarly employed public safety first responder during the  
158 performance of his or her official duties; or
- 159 (4) While in a motor vehicle which is lawfully parked."

## 2017-2018 **HB 978** Traffic enforcement safety devices in school zones

350

### SECTION 9.

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

352 "40-14-18.

353 (a)(1) The **speed limit within any school zone** as provided for in Code Section 40-14-8  
354 and marked pursuant to Code Section 40-14-6 may be enforced by using photographically  
355 recorded images for violations which occurred only on a school day during the time in  
356 which instructional classes are taking place and one hour before such classes are  
357 scheduled to begin and for one hour after such classes have concluded when such  
358 violations are in excess of ten miles per hour over the speed limit.

359 (2) Prior to the placement of a device within a school zone, each school within whose  
360 school zone such automated traffic enforcement safety device is to be placed shall first  
361 apply for and secure a permit from the Department of Transportation for the use of such  
362 automated traffic enforcement safety device. Such permit shall be awarded based upon  
363 need. The Department of Transportation shall promulgate rules and regulations for the  
364 implementation of this paragraph.

64 (A) The ~~driver~~ owner of a motor vehicle shall be liable for a civil monetary penalty to  
65 the governing body of the law enforcement agency provided for in subparagraph  
66 (d)(3)(B) of this Code Section if such vehicle is found, as evidenced by recorded  
67 images, to have been operated in disregard or disobedience of subsection (a) of this  
68 Code section and such disregard or disobedience was not otherwise authorized by law.

69 The amount of such ~~fine~~ civil monetary penalty shall be ~~\$300.00 for a first offense,~~  
70 ~~\$750.00 for a second offense, and \$1,000.00 for each subsequent offense in a five-year~~  
71 ~~period~~ \$250.00;

72 (B) The law enforcement agency authorized to enforce the provisions of this Code  
73 section shall send by ~~regular~~ first class mail addressed to the owner of the motor vehicle  
74 ~~postmarked~~ not later than ten days after ~~the date of the alleged violation~~ obtaining the  
75 name and address of the owner of the motor vehicle:

76 (i) A citation for the alleged violation, which shall include the date and time of the  
77 violation, the location of the infraction, the amount of the civil monetary penalty

158 (7) If a violation has not been contested and the assessed penalty has not been paid, the  
159 agent or governing body shall send to the person who is the registered owner of the motor  
160 vehicle a final notice of any unpaid civil monetary penalty authorized by this Code  
161 section, except in cases where there is an adjudication that no violation occurred or there  
162 is otherwise a lawful determination that no civil monetary penalty shall be imposed. The  
163 notice shall inform the registered owner that the agent or governing body shall send a  
164 referral to the Department of Revenue if the assessed penalty and any late fee is not paid  
165 within 30 days after the final notice was mailed and that such referral shall result in the  
166 nonrenewal of the registration of such motor vehicle and shall prohibit the title transfer  
167 of such motor vehicle within this state.

168 (8) The agent or governing body shall send a referral to the Department of Revenue not  
169 sooner than 30 days after the final notice required under paragraph (7) of this subsection  
170 was mailed if a violation of an ordinance or resolution adopted under this article has not

179 (9) If the Department of Revenue receives a referral under paragraph (8) of this  
180 subsection, such referral shall be entered into the motor vehicle database within five days  
181 of receipt and the Department of Revenue shall refuse to renew the registration of such  
182 motor vehicle and shall prohibit the title transfer of such vehicle within this state unless  
183 and until the civil monetary penalty plus any late fee is paid to the governing body. The  
184 Department of Revenue shall mail a notice to the registered owner of such motor vehicle  
185 that informs such owner: **If the fine is not paid...**

186 (A) That the registration of the vehicle involved in the violation will not be permitted  
187 to be renewed;

188 (B) That the title of the vehicle involved in the violation will not be permitted to be  
189 transferred in this state;

190 (C) That the aforementioned penalties are being imposed due to the failure to pay the  
191 civil monetary penalty plus any late fee for an ordinance violation adopted under the



HB 978

27 meeting or overtaking from either direction any school bus stopped on the highway shall  
28 stop before reaching such school bus when there are in operation on the school bus the  
29 visual signals as specified in Code Sections 40-8-111 and 40-8-115, and such driver shall  
30 not proceed until the school bus resumes motion or the visual signals are no longer  
31 actuated.

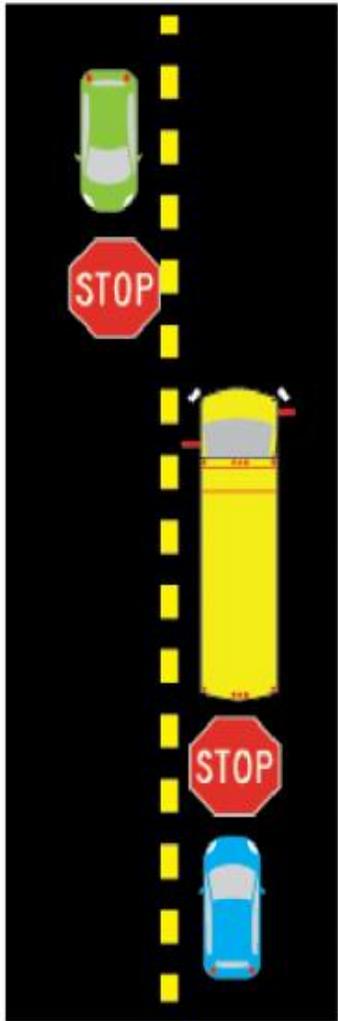
32 (b) The driver of a vehicle upon a highway with separate roadways or a divided highway,  
33 including, but not limited to, a highway divided by a turn lane, need not stop upon meeting  
34 or passing a school bus which is on a different roadway or on another half of a divided  
35 highway, or upon a controlled-access highway when the school bus is stopped in a loading  
36 zone which is a part of or adjacent to such highway and where pedestrians are not  
37 permitted to cross the roadway.

[No Title]

38 (c) Every school bus driver who observes a violation of subsection (a) of this Code section  
39 is authorized and directed to record specifically the vehicle description, license number of

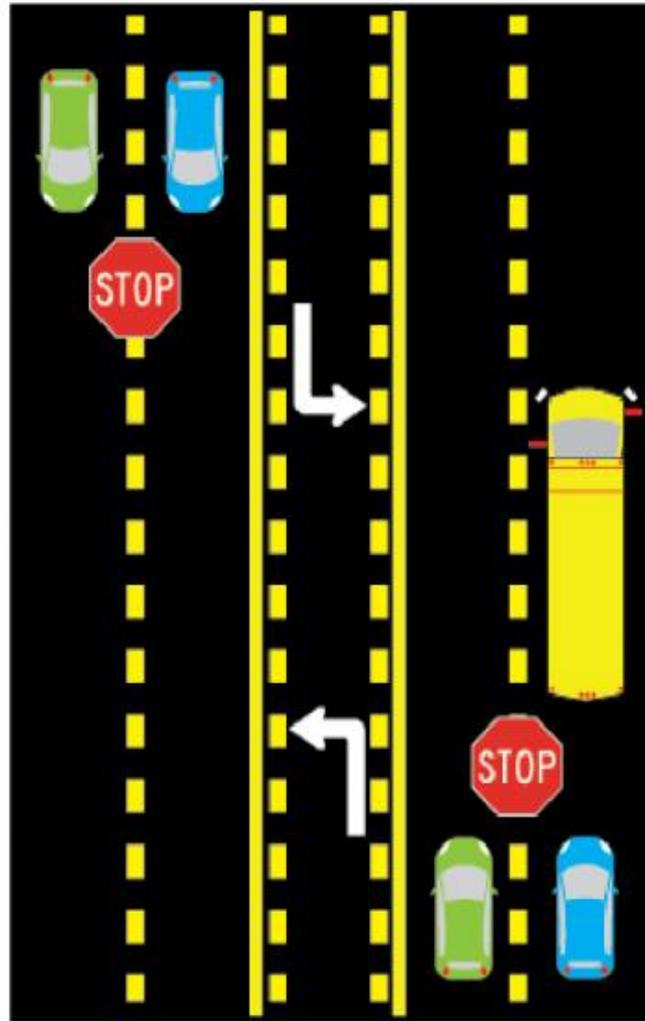
In essence, given the definition of "divided highway" for Title 40, which incorporates the concept of a highway with separate roadways as already provided for under current law in Code Section 40-6-163(b), and given that "including, but not limited to, a highway divided by a turn lane" can only be applicable to a turn lane on a separate roadway from the school bus, Code Section 40-6-163(b), as amended by HB 978/AP (2018), would not seem to effect a substantive change from current law. Some type of berm or shoulder or intervening space or physical barrier indicating two distinct roadways would still seem to be required before a driver need not stop upon meeting or passing a school bus on a highway.

In essence, given the definition of "divided highway" for Title 40, which incorporates the concept of a highway with separate roadways as already provided for under current law in Code Section 40-6-163(b), and given that "including, but not limited to, a highway divided by a turn lane" can only be applicable to a turn lane on a separate roadway from the school bus, Code Section 40-6-163(b), as amended by HB 978/AP (2018) would not seem to effect a substantive change from current law. Some type of berm or shoulder or intervening space or physical barrier indicating two distinct roadways would still seem to be required before a driver need not stop upon meeting or passing a school bus on a highway.



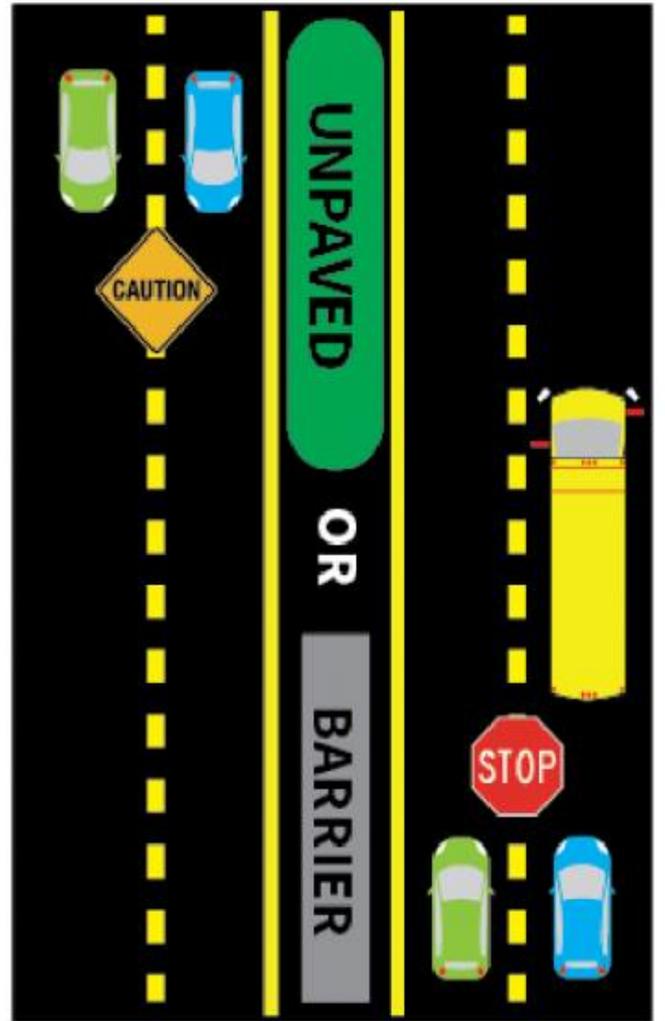
### TWO LANE

Vehicles traveling in both directions MUST stop.



### MULTI-LANE PAVED ACROSS

Vehicles traveling in both directions MUST stop.



### DIVIDED HIGHWAY

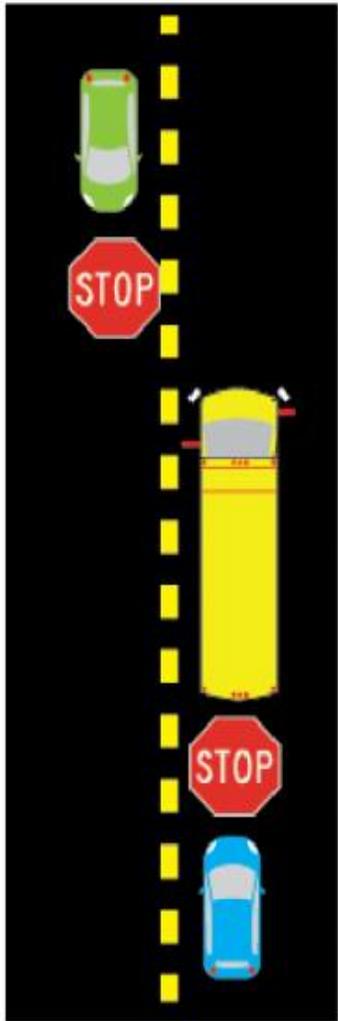
Unpaved space 5 ft+/raised median/physical barrier.  
Vehicles behind bus MUST stop.  
Vehicles traveling in the opposite direction must proceed with caution.

27 meeting or overtaking from either direction any school bus stopped on the highway shall  
28 stop before reaching such school bus when there are in operation on the school bus the  
29 visual signals as specified in Code Sections 40-8-111 and 40-8-115, and such driver shall  
30 not proceed until the school bus resumes motion or the visual signals are no longer  
31 actuated.

32 (b) The driver of a vehicle upon a highway with separate roadways or a divided highway,  
33 including, but not limited to, a highway divided by a turn lane, need not stop upon meeting  
34 or passing a school bus which is on a different roadway or on another half of a divided  
35 highway, or upon a controlled-access highway when the school bus is stopped in a loading  
36 zone which is a part of or adjacent to such highway and where pedestrians are not  
37 permitted to cross the roadway.

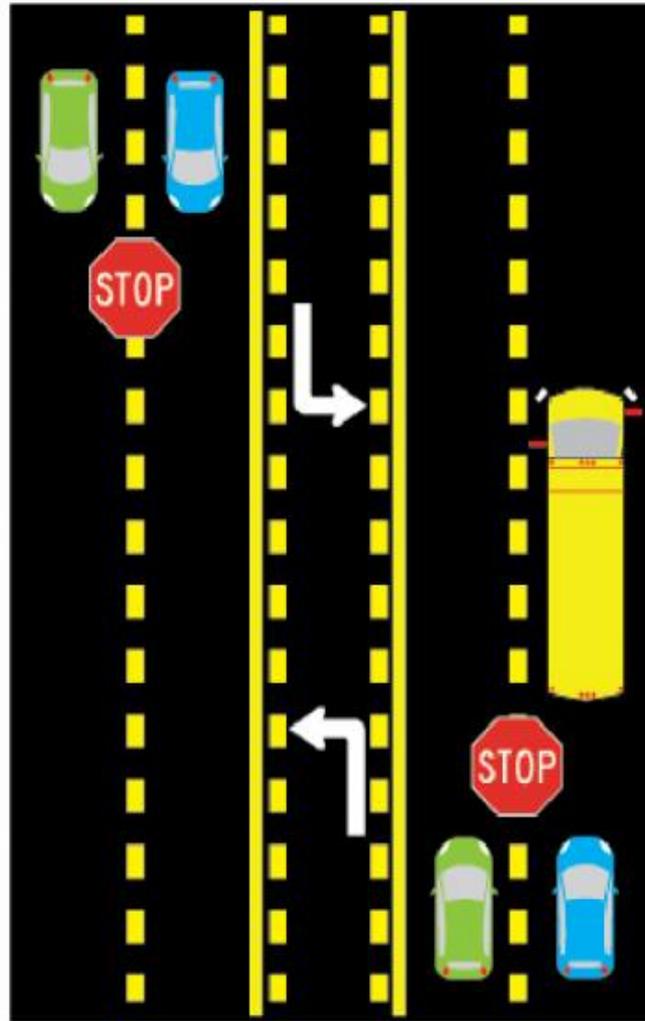
[No Title]

38 (c) Every school bus driver who observes a violation of subsection (a) of this Code section  
39 is authorized and directed to record specifically the vehicle description, license number of



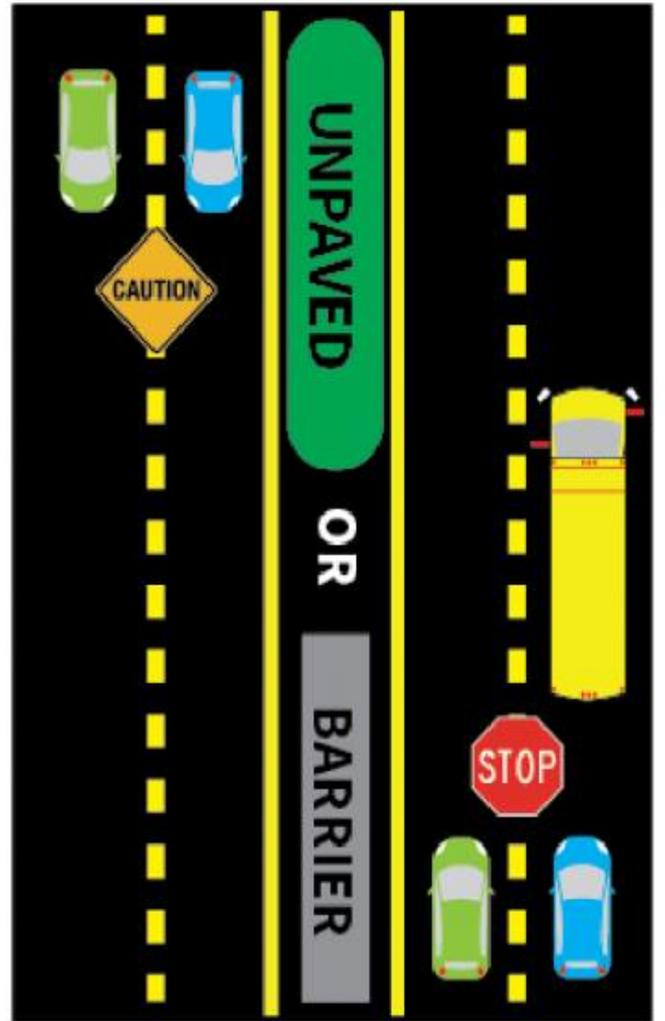
### TWO LANE

Vehicles traveling in both directions MUST stop.



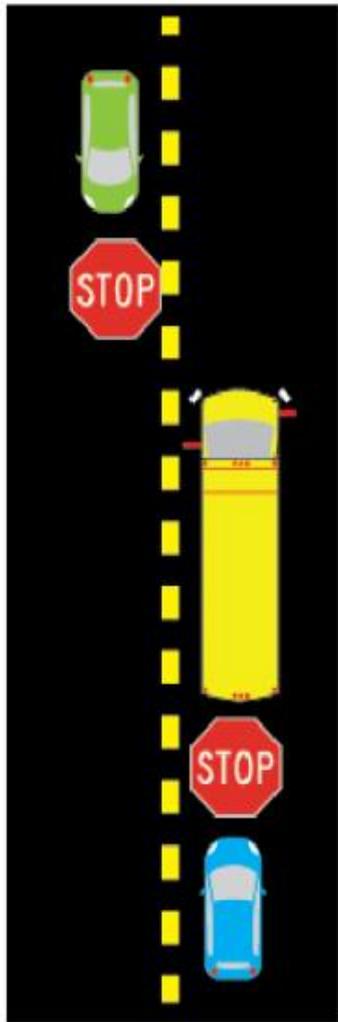
### MULTI-LANE PAVED ACROSS

Vehicles traveling in both directions MUST stop.



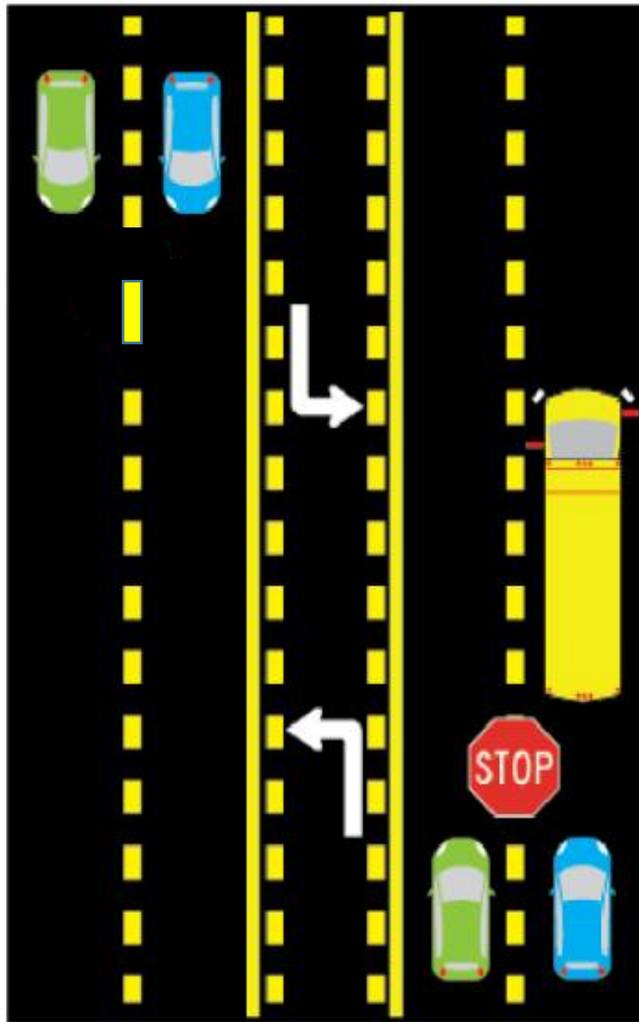
### DIVIDED HIGHWAY

Unpaved space 5 ft+/raised median/physical barrier.  
Vehicles behind bus MUST stop.  
Vehicles traveling in the opposite direction must proceed with caution.



### TWO LANE

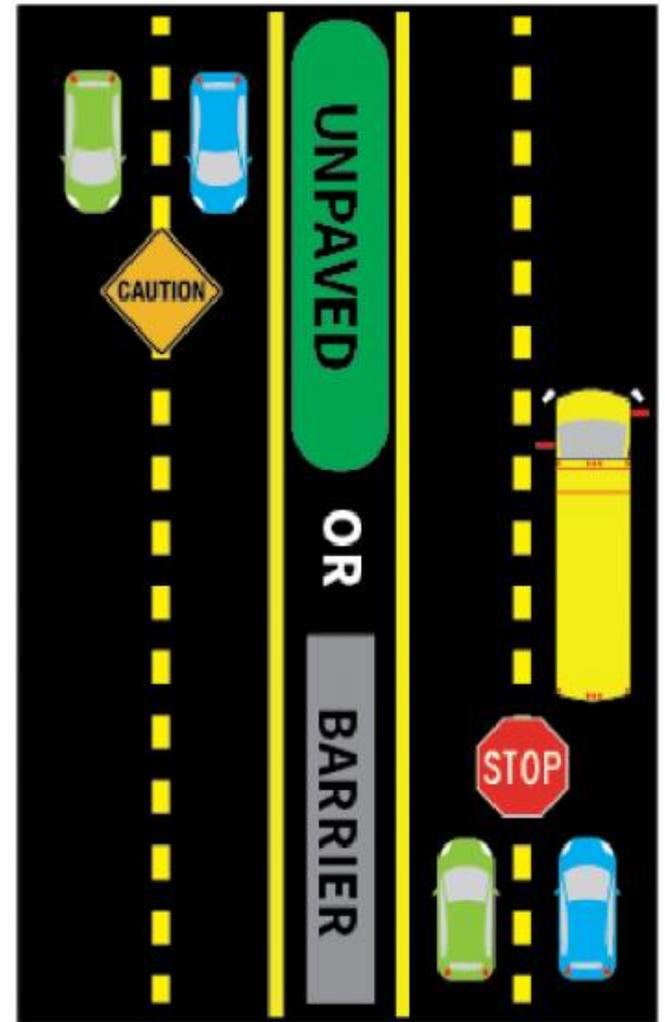
Vehicles traveling in both directions MUST stop.



### MULTI-LANE PAVED ACROSS

Vehicles traveling in both directions

Must proceed with caution.



### DIVIDED HIGHWAY

Unpaved space 5 ft+/raised median/physical barrier.

Vehicles behind bus MUST stop.

Vehicles traveling in the opposite direction must proceed with caution.

# Resolutions

2017-2018 Regular Session - **HR 1414**  
House Study Committee on School Security

2017-2018 Regular Session - **SR 935**  
Senate School Safety Study Committee

## Recommendations

- ***Ensure that current funding continues and enhance funding*** to allow school systems and communities to identify and address the physical and mental health needs of all children:
  - Expand PBIS to focus on the importance of school climate and the link to school safety
  - Expand APEX to provide mental health evaluations and interventions for students in distress
  - Expand mental health awareness training for educators, SROs, parents, volunteers, and communities
  - Expand suicide prevention training for educators, SROs, parents, volunteers, and communities
  - Expand trauma-informed training for schools (e.g. Haralson County School System WATCH/Handle with Care program)
  - Expand drug education to confront the opioid crisis
  - Expand 2<sup>nd</sup> Step Violence Prevention program (in conjunction with PBIS)

## Recommendations

- ***Expand bond funding and/or provide grants or other funding*** to allow local school systems to enhance safety:
  - Renovate all main entrances to secure and control access into the school (e.g., safety vestibule/double entry door system)
  - Renovate and ensure that all exterior doors can be locked from the inside and integrated into the school's alarm system in the event an attempt is made to pry open the door or a door is left ajar for a brief period of time
  - Renovate to equip all classrooms with doors that can be locked from the inside by the classroom teacher
  - Renovate to equip all classrooms with duress/panic button that signals the school front office, SRO, and alerts 9-1-1
  - Renovate to equip main office and administration areas with duress/panic buttons that signals the SRO and alerts 9-1-1
  - Employee ID system with high visibility features and employee photograph

## Recommendations

- ***Expand bond funding and/or provide grants or other funding*** to allow local school systems to enhance safety:
  - Visitor ID system that provides Temporary Visitor ID badge, picture, and records the name, time, and date of the visit
  - New or updated surveillance (camera) systems that include mobile surveillance which allows off-site monitor for prevention, intervention, and law enforcement response
  - Communication systems that intersect school system and law enforcement communications
  - Card Access Systems that can be programmed for certain areas of the school, activated at certain times, and for certain events
  - School safety architectural experts review all architectural plans for new schools and renovations using Crime Prevention through Environmental Design (CPTED) standards

## Recommendations

- ***Expand bond funding and/or provide grants or other funding*** to allow local school systems to enhance safety:
  - Require schools to record/document practice of Safe School Plan
  - Add flexibility to ESPLOST to allow at least 10 percent for school safety equipment and/or personnel
  - Provide funding that provides a school safety expert at each of the 16 RESAs to (1) conduct continuous on-site school safety assessments; (2) assist schools in the development, review, and practice of safe school plans; (3) coordinate school safety training for school personnel, including Active Shooter training; (4) work with local emergency management and law enforcement to coordinate cross training, school safety planning, and crisis response and recovery; (5) work with the school climate specialists to ensure safe climates in schools

## Recommendations

### *Additional recommendations:*

- Coordinate a combined effort of the Georgia Emergency Management Agency/Homeland Security, Georgia Department of Education, Georgia Department of Public Safety, and local law enforcement to offer an on-site walkthrough school safety assessment for every public school in Georgia based on best school safety practices and experiences
- Expedite "Stop-the-Bleed" training to all schools (responding to individual or multiple injuries through training, equipment, and supplies)
- Assist school systems in developing school-community partnerships to enhance safety measures for students beyond school property (e.g., Neighborhood Watch programs)
- Consider the presence of school resource officers, local police, and/or security guards as intervention and response and require training in children and adolescent mental health and communications

## Recommendations

### *Additional recommendations:*

- Explore the availability and credibility of school safety alert systems that combine technology along with trained professionals to reveal threats to schools in emails, documents, shared files, images, photos and more
- Utilize the newly formed Governor's School Leadership Academy (2017 – HB 338) to train school principals on school climate/safety and crisis response principles and practices



March 29<sup>th</sup>



**The Session Ends**



2018

# LEGISLATIVE SESSION



SURVIVE