

HOUSE BILL 147¹: SAFE SCHOOLS ACT; ENACT
Amending O.C.G.A. § 20-2-209.1

First signature: Representative Will Wade (9th)

Co-Sponsors: Representative Jan Jones (47th), Representative Matt Dubnik (29th), Representative Chris Erwin (32nd), Representative Bill Hitchens (161st), Representative David Wilkerson (38th)

Summary: “A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to provide for a school safety and anti-gang endorsement for eligible certificated professional personnel issued by the Professional Standards Commission; to require school safety plans to be submitted to the Georgia Emergency Management and Homeland Security Agency; to require intruder alert drills in all public schools in this state; to require public schools to report completion of such drills to the Georgia Emergency Management and Homeland Security Agency; to provide for parents and guardians to opt their children out of such drills; to provide for a definition; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.”²

Status: Signed by Governor, effective date July 01, 2023.³

TEXT OF HOUSE BILL 147⁴

SECTION 1.

This Act shall be known and may be cited as the "Safe Schools Act."

SECTION 2.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended in Subpart 1 of Part

¹ H.B. 147, 158TH (Public Safety and Homeland Security Committee), Gen. Assemb., Reg. Sess. (Ga 2023), <https://www.legis.ga.gov/api/legislation/document/20232024/217714> (last visited *).

² 2022-2023 Regular Session H.B. 147, *Safe Schools Act; enact*, GA Gen. Assemb., <https://www.legis.ga.gov/legislation/63797> (last visited *) [hereinafter H.B. 147 Status Sheet]

³ *Id.*

⁴ H.B. 147.

6 of Article 6, relating to certificated professional personnel, by adding a new Code section to read as follows:

"20-2-209.1

(a) No later than December 31, 2023, the Professional Standards Commission, in consultation with the Georgia Emergency Management and Homeland Security Agency, the Department of Juvenile Justice, and the Georgia Public Safety Training Center, shall create a school safety and anti-gang endorsement for eligible certificated professional personnel, as determined pursuant to rules and regulations of the Professional Standards Commission, who elect to complete a training program, approved by the Professional Standards Commission, in multidisciplinary best practices for promoting and preserving safe schools and for identifying and deterring youth gangs.

(b) The Professional Standards Commission, in consultation with the Georgia Emergency Management and Homeland Security Agency, shall establish measures to assess the fidelity of training and implementation for individuals who receive the school safety and anti-gang endorsement.

(c)(1) All eligible certificated professional personnel, as determined pursuant to rules and regulations of the Professional Standards Commission, who are employed in a public school in this state, complete a school safety and anti-gang training program approved by the Professional Standards Commission, and provide to the Professional Standards Commission verification of such completion from an approved provider shall receive the school safety and anti-gang endorsement.

(2) Postsecondary educational institutions with a teacher certification program approved by the Professional Standards Commission are encouraged to include training in multidisciplinary best practices for promoting and preserving safe schools and for identifying and deterring youth gangs in such program."

SECTION 3.

Said chapter is further amended in Article 27, relating to loitering at or disrupting schools, by revising subsections (a) and (e) of Code Section 20-2-1185, relating to school safety plans and drills, as follows:

"(a) Every public school shall prepare a school safety plan to help curb the growing incidence of violence in schools, to respond effectively to such incidents, and to provide a safe learning environment for Georgia's children, teachers, and other school personnel. Such plan shall also address preparedness for natural disasters, hazardous materials or radiological accidents, acts of violence, and acts of terrorism. School safety plans of

public schools shall be prepared with input from students enrolled in that school, parents or legal guardians of such students, teachers in that school, community leaders, other school employees and school district employees, and local law enforcement, juvenile court, fire service, public safety, and emergency management agencies. As part of such plans, public schools shall provide for the coordination with local law enforcement agencies and the local juvenile court system. School safety plans shall include, at a minimum, the following strategy areas:

(1) Training school administrators, teachers, and support staff, including, but not limited to, school resource officers, security officers, secretaries, custodians, and bus drivers, on school violence prevention, school security, school threat assessment, mental health awareness, and school emergency planning best practices;

(2) Evaluating and refining school security measures;

(3) Updating and exercising school emergency preparedness plans;

(4) Strengthening partnerships with public safety officials; and

(5) Creating enhanced crisis communications plans and social media strategies. School safety plans of private schools may be prepared with input from students enrolled in that school, parents or legal guardians of such students, teachers in that school, other school employees, and local law enforcement, fire service, public safety, and emergency management agencies. Such plans shall be reviewed and, if necessary, updated annually. Such plans of public schools shall be submitted to the local emergency management agency, ~~and the local law enforcement agency, and the Georgia Emergency Management and Homeland Security Agency~~ for approval."

"(e)(1) Every public school shall conduct drills with students, school administrators, teachers, and other school personnel on the execution of school safety plans in such form and at such intervals based upon guidance from the Georgia Emergency Management and Homeland Security Agency.

(2) By October 1 of each school year, every public school shall conduct an intruder alert drill for students, school administrators, teachers, and other school personnel based upon guidance from the Georgia Emergency Management and Homeland Security Agency. Each local school system or public school governing body shall promptly report to the Georgia Emergency Management and Homeland Security Agency the completion of such drills. All students shall participate in intruder alert drills provided for in this paragraph; provided, however, that the governing body of a local school system or public school may provide an option for a child's parent or legal guardian to elect, in writing, that such child not participate in intruder alert drills. As used in this paragraph, the term 'intruder alert drill' means a set of procedures designed to familiarize the occupants of a building with

ways to protect themselves against potential threats posed by an intruder who possesses or is suspected of possessing a weapon, as defined in Code Section 20-2-742."

SECTION 4.

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

SPONSOR'S RATIONALE

Representative Will Wade of the 9th District ("Representative Wade") sponsored House Bill 147 ("Bill 147") to modernize elementary and secondary school safety protocols and to deter school-related violence.⁵ Representative Wade is Governor Kemp's Floor Leader and carried Bill 147 through the legislative process to build on the Governor's commitment to keeping Georgia students, teachers, and school personnel safer.⁶ Although Bill 147 has been connected mainly with active shooter drills, Representative Wade clarified that Bill 147 encompasses all types of intruders.⁷ Bill 147 does not explicitly limit the mandatory drills to only those for active shooters.⁸ Representative Wade claims the mandatory drills are to include a wide range of possible dangerous scenarios.⁹ These scenarios include but are not limited to a kidnapping incident, a spouse of a school faculty member violating a restraining order during school hours, and an active shooter.¹⁰ The school systems are free to design their safety protocols to the specific situation and their specific needs to address the "minor" or "the extremely major" incidents.¹¹

Representative Wade also addressed concerns surrounding the mental health of students who experience these drills.¹² He acknowledged that individuals with specific special needs or traumatic experiences may need to

⁵ Georgia House of Representatives, *Session Day 24*, Vimeo (Feb. 27, 2023, 1:23:42) <https://vimeo.com/showcase/10101532/video/801679285>.

⁶ *Id.*

⁷ Georgia House of Representatives, *Public Safety & Homeland Security*, YouTube (Feb. 15, 2023, 1:03:22) <https://www.youtube.com/watch?v=c1exwN1AfLk&t=875s>.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² Georgia House of Representatives, *Public Safety & Homeland Security*, YouTube (Feb. 15, 2023, 1:20:58) <https://www.youtube.com/watch?v=c1exwN1AfLk&t=875s>.

opt out of the school-conducted drills.¹³ To allow for this, or to ensure that parents' rights were not being overlooked, Bill 147 included an opt-out option.¹⁴ The opt-out option allows school systems to offer faculty or parents an option to opt themselves or their child out of specific drills.¹⁵

OPPOSITION'S RATIONALE

The concern for the students' mental health was mentioned multiple times throughout the legislative process for Bill 147. Representative Michelle Au ("Representative Au") opposes Bill 147 on the grounds of concern for the students' mental health.¹⁶ Offering a nationwide study on a range of students from kindergarten through twelfth grade, Representative Au stated that anxiety, stress, and depression increased by 39-42% in students following an active shooter drill.¹⁷ She further stated that there is additionally minimal evidence that shows such drills save students' lives.¹⁸ Representative Ann Allen Westbrook ("Representative Westbrook") shared Representative Au's concern and noted that there is no evidence that enacting Bill 147 will result in safer schools, but there is evidence to the contrary.¹⁹ Representative Westbrook cited the same study as Representative Au, which Georgia Tech conducted on the immediate and long-term impacts of active shooter drills on the mental health and well-being of students, teachers, and parents.²⁰ The same statistics regarding the increase in anxiety, depression, and stress were repeated, and Representative Westbrook additionally stated that the impact continued for 90 days following the drill.²¹

Evidence of active shooter drills' negative impact on students' mental health was coupled with statistics of school shootings and annual gun deaths by Representative Westbrook.²² "Shootings are relatively rare, accounting for less than 1% of the more than 43,000 annual gun deaths, but they instill a

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Session Day 24, *supra* note 5, at 1:25:13.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Session Day 24, *supra* note 5, at 1:33:08.

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

deep sense of fear in communities.”²³ Representative Westbrook acknowledged the want of policymakers to rectify the issue and the implementation of active shooter drills in the majority of American schools but countered this by claiming there is a complete lack of evidence that the drills limit deaths or injuries during a school shooting.²⁴ Addressing the House Representatives, Representative Westbrook rhetorically asked, “does it work,” following with, “If it’s not good policy, we shouldn’t keep doing it because that’s how we’re doing it now.”²⁵ Additionally, Representative and mental health professional Shelly Hutchinson (“Representative Hutchinson”) connected the consequences of active shooter drills to the Cuban Missile Crisis drills and implied the mental health repercussions affecting those who experienced the Cuban Missile Crisis drills are comparable to the future effects the active shooter drills will have on individuals.²⁶ She stated that her own family members who underwent the crisis drills are still triggered when they enter certain areas that remind them of that time.²⁷ Representative Hutchinson inquired about Bill 147 in response to Representative Mike Cheokas’ inquiry that individuals lived through nuclear drills, despite how traumatic they were.²⁸

IMPLICATIONS IN GEORGIA

The enactment of House Bill 147 establishes a mandatory intruder drill to be conducted by every elementary and secondary Georgia school before October 1st of each school year. Since the infamous Columbine High School shooting in 1999, 389 more school shootings have occurred.²⁹ The all-time high of school shootings over a one-year span since Columbine is currently 46, occurring in 2022. The mandatory intruder drills will now give

²³ *Id.*

²⁴ *Id.*

²⁵ Georgia House of Representatives, *Session Day 24*, Vimeo (Feb. 27, 2023), at 1:34:03 and 1:34:09, <https://vimeo.com/showcase/10101532/video/801679285>.

²⁶ *Id.* at 1:51:44.

²⁷ *Id.*

²⁸ *Id.* at 1:48:08.

²⁹ Allison Elyse Gualtieri et al., *Apalachee High School Shooting is the Latest in U.S. Here’s How Many Happened in 2024, so far*, CBS News (Sept. 4, 2024), <https://www.cbsnews.com/news/how-many-school-shootings-2024-apalachee-winder-georgia/> (reporting on a 14-year-old Georgia student who opened fire on faculty and classmates at Apalachee High School, killing four and wounding nine others. This incident is marked as the 218th time a gun was either brandished or fired at a school within the United States in 2024.).

students and school faculty members direction on where to go and what to do in the event of an intruder incident.

However, where an individual who has participated in these drills becomes the intruder, the drills may become a helpful map when searching for their targets. These risks are specific to intruder drills and have caused controversial debates to erupt within the communities. Natural disaster drills like fire and tornado drills don't include the unknown of human participation, so schools implement the safest protocols they know for such. Research and studies have been conducted to determine these safety protocols and will change as needed to allow school systems to continue practicing the safest options. Intruder drills may only provide schools with the best guess on what is considered safe for such an occurrence.

While some may believe that lives will be saved by the mandatory drills, others may believe they will cause more harm than good overall. Whatever beliefs an individual may have regarding mandatory intruder drills, a strong line of communication and teamwork between school systems and law enforcement agencies is critical in keeping students and faculty safe. Bill 147 will strengthen that type of relationship by requiring school safety plans to now be additionally submitted to the Georgia Emergency Management and Homeland Security Along with local law enforcement. Providing successful safety measures and creating trust within a community requires teamwork among many individuals and agencies. Adding the Georgia Emergency Management and Homeland Security to the list of agencies that school systems must report to will help advance school safety.

LEGISLATIVE GENEALOGY

On January 1, 2023, House Bill 147 entered the House Hopper.³⁰ The House first read Bill 147 on February 1, 2023.³¹ The second House reading was on February 2, 2023.³² The House Committee favorably reported unanimously on February 16, 2023.³³ The third House reading was on

³⁰ H.B. 147 Status Sheet, *supra* note 2.

³¹ *Id.*

³² *Id.*

³³ *Id.*

February 27, 2023.³⁴ The House passed/adopted on February 27, 2023.³⁵ The Senate read and referred Bill 147 on February 28, 2023.³⁶ The Senate committee favorably reported March 8, 2023.³⁷ The second Senate reading was on March 9, 2023.³⁸ The third Senate reading was March 13, 2023.³⁹ The Senate passed/adopted on March 13, 2023.⁴⁰ The House sent Bill 147 to the Governor on March 30, 2023.⁴¹ House date signed by Governor April 13, 2023.⁴² Act 7 on April 13, 2023.⁴³ Effective date July 1, 2023.⁴⁴

Prepared by: Jade Green

³⁴ *Id.*

³⁵ H.B. 147 Status Sheet, *supra* note 2.

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ H.B. 147 Status Sheet, *supra* note 2.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*