

House Bill 472

By: Representatives Sharper of the 177th and Stovall of the 74th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to health regarding students in elementary and secondary education, so
3 as to require that a student shall be permitted to exit a classroom for use of the restroom upon
4 request; to provide for conditions; to provide for policy promulgation; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
9 relating to health regarding students in elementary and secondary education, is amended by
10 adding a new Code section to read as follows:

11 "20-2-779.1.

12 (a) Each public school in this state shall permit a student to exit a classroom for use of the
13 restroom upon request by such student. No student shall be subject to discipline pursuant
14 to Part 2 of this article or otherwise for exiting a classroom for use of the restroom,
15 provided that such student notifies his or her teacher of his or her need to exit the classroom
16 for use of the restroom and there is no evidence that such student did not report to the
17 restroom, did not make an immediate return to the classroom, or spent an extended and
18 unreasonable amount of time in the use of the restroom without justification.

19 (b) A teacher shall request that a school nurse, or principal or assistant principal if such
20 school nurse is not available, attend to any student who has exited the classroom for use
21 of the restroom and who remains within the restroom for an extended and unreasonable
22 amount of time.

23 (c) Each local board of education shall establish criteria for determining excessive requests
24 for use of the restroom by a student. Notwithstanding subsection (a) of this Code section,
25 a student deemed to have made such excessive requests within a class for the school year
26 shall be permitted to exit a classroom for use of the restroom under such conditions as

27 determined by the local board of education; provided, however, that if such student has
28 provided sufficient medical documentation for such excessive requests, then the provisions
29 of subsection (a) of this Code section shall be applicable to such student.
30 (d) Each local board of education shall adopt policies to carry out the purposes of this
31 Code section."

32 **SECTION 2.**

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