

The Senate Committee on Government Oversight offered the following substitute to SB 379:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-182 of the Official Code of Georgia Annotated, relating to
2 program weights to reflect funds for payment of salaries and benefits, maximum class size,
3 reporting requirements, and application to specific school years, so as to authorize local
4 school systems and public schools to employ or accept as volunteers school chaplains; to
5 provide that school chaplains shall provide support, services, and programs for students as
6 assigned; to provide that school chaplains need not be certificated professional personnel; to
7 amend Code Section 19-15-1 of the Official Code of Georgia Annotated, relating to
8 definitions concerning child abuse, so as to include school chaplains in the definition of
9 "child protection professional"; to amend Code Section 49-5-41 of the Official Code of
10 Georgia Annotated, relating to persons and agencies permitted access to records, so as to
11 authorize school chaplains to review records of reports of child abuse; to provide for related
12 matters; to provide for a short title; to provide for an effective date; to repeal conflicting
13 laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 This Act shall be known and may be cited as the "School Chaplains Act."

SECTION 2.

17

18 Code Section 19-15-1 of the Official Code of Georgia Annotated, relating to definitions
19 concerning child abuse, is amended by revising paragraph (5) as follows:

20 "(5) 'Child protection professional' means any person who is employed by the state or a
21 political subdivision of the state as a law enforcement officer, school teacher, school
22 administrator, ~~or school counselor,~~ or school chaplain or who is employed to render
23 services to children by the Department of Public Health, the Department of Behavioral
24 Health and Developmental Disabilities, or the Department of Human Services or any
25 county board of health, community service board, or county department of family and
26 children services."

SECTION 3.

27

28 Code Section 20-2-182 of the Official Code of Georgia Annotated, relating to program
29 weights to reflect funds for payment of salaries and benefits, maximum class size, reporting
30 requirements, and application to specific school years, is amended by revising subsection (c)
31 as follows:

32 "(c)(1) The program weights for the kindergarten, kindergarten early intervention,
33 primary, primary grades early intervention, upper elementary, upper elementary grades
34 early intervention, middle school, and alternative education programs and the program
35 weights for the high school programs authorized pursuant to paragraph (4) of
36 subsection (b) of Code Section 20-2-151, when multiplied by the base amount, shall
37 reflect sufficient funds to pay the beginning salaries for at least one school counselor for
38 every 450 full-time equivalent students. Beginning in Fiscal Year 2015 and thereafter,
39 the program weights for the English for speakers of other languages program and the
40 programs for persons with disabilities shall also earn school counselor funding. Further,
41 beginning in Fiscal Year 2016 and thereafter, the program weights for the program for
42 intellectually gifted students and the remedial education program shall also earn school

43 counselor funding. The duties and responsibilities for such school counselors shall be
44 established by the state board to require a minimum of five of the six full-time equivalent
45 program count segments of the counselor's time to be spent counseling or advising
46 students or parents.

47 (2)(A) As used in the paragraph, the term 'chaplain' means a clergy member who is
48 trained to serve in a secular environment; provided, however, that such term shall not
49 include any person who is a satanist.

50 (B) Notwithstanding any provision of paragraph (1) of this subsection or any other law
51 to the contrary, a local school system or public school shall be authorized to employ or
52 accept as a volunteer a school chaplain to provide ancillary support, services, and
53 programs for students as assigned by the local school superintendent or the local board
54 of education or other public school governing body. A school chaplain employed or
55 accepted as a volunteer under this subsection is not required to be a certificated
56 professional personnel or otherwise subject to any rule or regulation of the Professional
57 Standards Commission.

58 (C) No later than December 31, 2024, each local board of education or other public
59 school governing body shall vote in public on whether to adopt a policy authorizing the
60 employment of school chaplains."

61 **SECTION 4.**

62 Code Section 49-5-41 of the Official Code of Georgia Annotated, relating to persons and
63 agencies permitted access to records, is amended by revising paragraph (10) of subsection
64 (c) as follows:

65 "(10) Any school principal or any school guidance counselor, school social worker, or
66 school psychologist who is certified under Chapter 2 of Title 20, or school chaplain and
67 who is counseling a student as a part of such counseling person's school employment
68 duties, but those records shall remain confidential and information obtained therefrom by

69 that counseling person may not be disclosed to any person, except that student, not
70 authorized under this Code section to obtain those records, and such unauthorized
71 disclosure shall be punishable as a misdemeanor;"

72 **SECTION 5.**

73 This Act shall become effective upon its approval by the Governor or upon its becoming law
74 without such approval.

75 **SECTION 6.**

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