

Senate Bill 335

By: Senators Marable of the 52nd, Dean of the 31st, Walker of the 22nd, Starr of the 44th,
Johnson of the 1st and Hill of the 4th

A BILL TO BE ENTITLED
AN ACT

To amend Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to students, so as to change a provision allowing discretionary modification of a requirement to expel a student who brings a weapon to school; to repeal conflicting laws, and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to students, is amended by striking in its entirety Code Section 20-2-751.1, relating to disciplinary policies for students bringing weapons to school, and inserting in lieu thereof the following:

"20-2-751.1.

(a) Each local board of education shall establish a policy requiring the expulsion from school for a period of not less than one calendar year of any student who is determined, pursuant to this subpart, to have brought a weapon to school.

(b) The local board of education or its designee shall have the authority to modify such expulsion requirement as provided in subsection (a) of this Code section on a case-by-case basis including but not limited to instances in which a hearing officer, tribunal, panel, superintendent, local board of education, or other designee of a local board of education finds that the student who brought the weapon to school had no intent to harm or threaten any other person.

(c) A hearing officer, tribunal, panel, superintendent, or local board of education shall be authorized to place a student determined to have brought a weapon to school in an alternative educational setting.

(d) Nothing in this Code section shall infringe on any right provided to students with Individualized Education Programs pursuant to the federal Individuals with Disabilities

1 Education Act, Section 504 of the federal Rehabilitation Act of 1973, or the federal
2 Americans with Disabilities Act."

3 **SECTION 2.**

4 All laws and parts of laws in conflict with this Act are repealed.