

House Bill 712

By: Representatives Cash of the 108th, Jamieson of the 22nd, Cox of the 105th, Watson of the 70th and Lunsford of the 109th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to change time periods for the decision of the
3 disciplinary officer, panel, or tribunal, for the notice of appeal, and for the decision by the
4 local board of education; to allow designation of an appeal committee or an appellate officer
5 by a local board of education; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
9 secondary education, is amended in Code Section 20-2-754, relating to procedures to be
10 followed by a disciplinary officer, panel, or tribunal, by striking in their entirety subsections
11 (c) and (d) and inserting in lieu thereof the following:

12 "(c) If appointed to review an instance specified in Code Section 20-2-753, the disciplinary
13 officer, panel, or tribunal shall conduct the hearing and, after receiving all evidence, render
14 its decision, which decision shall be based solely on the evidence received at the hearing.
15 The decision shall be in writing and shall be given to all parties within ~~ten~~ five days of the
16 close of the record. Any decision by such disciplinary officer, panel, or tribunal may be
17 appealed to the local board of education, or, if so designated by the local board of
18 education, an appeal committee or appellate hearing officer, by filing a written notice of
19 appeal within ~~20~~ 15 days from the date the decision is rendered. Any disciplinary action
20 imposed by such officer, panel, or tribunal may be suspended by the school superintendent
21 pending the outcome of the appeal.

22 (d) The local board of education or its designee, as the case may be, shall review the
23 record and shall render a decision in writing. The decision shall be based solely on the
24 record and shall be given to all parties within ~~ten~~ 15 days, ~~excluding weekends and public~~
25 ~~and legal holidays provided for in Code Section 1-4-1,~~ from the date the local board of
26 education receives the notice of appeal. The board or its designee, as the case may be, may

1 take any action it determines appropriate, and any decision of the board or its designee, as
2 the case may be, shall be final. All parties shall have the right to be represented by legal
3 counsel at any such appeal and during all subsequent proceedings."

4 **SECTION 2.**

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