

The House Committee on Education offers the following substitute to HB 619:

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 provide for sending a copy of the decision to the state board;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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:

13 "(c) If appointed to review an instance specified in Code Section 20-2-753, the disciplinary
14 officer, panel, or tribunal shall conduct the hearing and, after receiving all evidence, render
15 its decision, which decision shall be based solely on the evidence received at the hearing.
16 The decision shall be in writing and shall be given to all parties within ~~ten~~ five days,
17 excluding weekends and public and legal holidays provided for in Code Section 1-4-1, of
18 the close of the record. Any decision by such disciplinary officer, panel, or tribunal may
19 be appealed to the local board of education, or, if so designated by the local board of
20 education, an appeal committee or appellate hearing officer, by filing a written notice of
21 appeal within ~~20~~ ten days, excluding weekends and public and legal holidays provided for
22 in Code Section 1-4-1, from the date the decision is rendered. Any disciplinary action
23 imposed by such officer, panel, or tribunal may be suspended by the school superintendent
24 pending the outcome of the appeal.

25 (d) The local board of education or its designee, as the case may be, shall review the
26 record and shall render a decision in writing. The decision shall be based solely on the

1 record and shall be given to all parties within ~~ten~~ 20 days, excluding weekends and public
2 and legal holidays provided for in Code Section 1-4-1, from the date the local board of
3 education receives the notice of appeal. The board or its designee, as the case may be, may
4 take any action it determines appropriate, and any decision of the board or its designee, as
5 the case may be, shall be final. The decision of the local board's designee, if any, shall be
6 given to the local board at the same time as it is given to the parties. The local board shall
7 provide a copy of the decision to the state board within five days, excluding weekends and
8 public and legal holidays as provided for in Code Section 1-4-1, from the date the decision
9 is provided to the parties by the local board or from the date the decision is received by the
10 local board from its designee, as the case may be. All parties shall have the right to be
11 represented by legal counsel at any such appeal and during all subsequent proceedings."

12 SECTION 2.

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