

House Bill 1388

By: Representatives Heard of the 70th, Post 3, Jamieson of the 22nd, Casas of the 68th, Marin of the 66th, Floyd of the 69th, Post 2, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Subpart 2 of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of
2 Georgia Annotated, relating to public school disciplinary tribunals, so as to change
3 provisions relating to discipline policies for students determined to have brought a weapon
4 to school; to delete a provision authorizing local boards of education to modify discipline
5 policies for such students on a case-by-case basis; to require the filing of a petition in
6 juvenile court alleging that such a student is delinquent; to provide that such discipline
7 policies apply to all students; to provide for related matters; to repeal conflicting laws; and
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Subpart 2 of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
12 Annotated, relating to public school disciplinary tribunals, is amended by striking Code
13 Section 20-2-751.1, relating to expulsion and disciplinary policy for students bringing
14 weapons to school, and inserting in lieu thereof the following:

15 "20-2-751.1.

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

19 (b) The local board of education shall ~~have the authority to modify such expulsion~~
20 ~~requirement as provided in subsection (a) of this Code section on a case-by-case basis~~ file
21 or provide for the filing of a petition in juvenile court alleging that a student who has been
22 determined to have brought a weapon to school is delinquent, if the student is subject to the
23 jurisdiction of the juvenile court.

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

1 (d) Nothing in this Code section shall infringe on any right provided to students with
2 Individualized Education Programs pursuant to the federal Individuals with Disabilities
3 Education Act, Section 504 of the federal Rehabilitation Act of 1973, or the federal
4 Americans with Disabilities Act.

5 (e) This Code section shall apply to students in kindergarten and grades one through 12."

6 **SECTION 2.**

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