

House Bill 326

By: Representatives Scott of the 76th, Jordan of the 77th, Waites of the 60th, Douglas of the 78th, Beasley-Teague of the 65th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to students in elementary and secondary education, so as to provide for attendance
3 with or observation of a student in a classroom situation by a parent or guardian for students
4 who have chronic disciplinary problems or returning from expulsion or suspension; to
5 provide for parent conferences when a student receives a failing grade on two consecutive
6 report cards in a subject or course; to provide for proceedings against a parent or guardian
7 who fails to attend such conference; to provide for related matters; to repeal conflicting laws;
8 and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
12 students in elementary and secondary education, is amended by revising Code Section
13 20-2-765, relating to notification of parent or guardian of chronic disciplinary problem
14 student, as follows:

15 "20-2-765.

16 Any time a teacher or principal identifies a student as a chronic disciplinary problem
17 student, the principal shall notify by telephone call and by either certified mail or statutory
18 overnight delivery with return receipt requested or first-class mail the student's parent or
19 guardian of the disciplinary problem, invite such parent or guardian to observe the student
20 in a classroom situation, and request at least one parent or guardian to attend a conference
21 with the principal or the teacher or both to devise a disciplinary and behavioral correction
22 plan. Such disciplinary and behavioral correction plan may include provisions for periodic
23 attendance with or observation of the student in a classroom situation by the parent or
24 guardian."

25 **SECTION 2.**

26 Said article is further amended by revising Code Section 20-2-766, relating to students
27 returning from expulsion or suspension, as follows:

28 "20-2-766.

29 Before any chronic disciplinary problem student is permitted to return from an expulsion
30 or suspension, the school to which the student is to be readmitted shall request by telephone
31 call and by either certified mail or statutory overnight delivery with return receipt requested
32 or first-class mail at least one parent or guardian to schedule and attend a conference with
33 the principal or his or her designee to devise a disciplinary and behavioral correction plan.
34 Such disciplinary and behavioral correction plan may include provisions for periodic
35 attendance with or observation of the student in a classroom situation by the parent or
36 guardian. Failure of the parent or guardian to attend shall not preclude the student from
37 being readmitted to the school. At the discretion of the principal, a teacher, counselor, or
38 other person may attend the conference. The principal shall ensure that a notation of the
39 conference is placed in the student's permanent file."

40 **SECTION 3.**

41 Said article is further amended by revising Code Section 20-2-766.1, relating to proceeding
42 against parents for failure to cooperate in educational programs, as follows:

43 "20-2-766.1.

44 The local board of education may, by petition to the juvenile court, proceed against a parent
45 or guardian as provided in this Code section. If the court finds that the parent or guardian
46 has willfully and unreasonably failed to attend a conference requested by a principal
47 pursuant to Code Section 20-2-765 or 20-2-766, or failed to attend two or more conferences
48 requested by a principal pursuant to Code Section 20-2-785, the court may order the parent
49 or guardian to attend such a conference, order the parent or guardian to participate in such
50 programs or such treatment as the court deems appropriate to improve the student's
51 behavior, or both. For failure to attend two or more conferences requested by a principal
52 pursuant to Code Section 20-2-785, the court may also order the parent or guardian to
53 volunteer up to 20 hours at the child's school. After notice and opportunity for hearing, the
54 court may impose a fine, not to exceed \$500.00, on a parent or guardian who willfully
55 disobeys an order of the court entered under this Code section. The court may use its
56 contempt and other powers specified in Code Section 15-11-5 to enforce any order entered
57 under this Code section."

58 **SECTION 4.**

59 Said article is further amended by adding a new part to read as follows:

60

"Part 561 20-2-785.

62 If a student receives a failing grade on two consecutive report cards in a subject or course,
63 the principal shall notify by telephone call or by either certified mail or statutory overnight
64 delivery with return receipt requested or first-class mail the student's parent or guardian of
65 the failing grades and request at least one parent or guardian attend a conference with the
66 principal or the teacher or both to address the failing grades. Failure of the student's parent
67 or guardian to attend two or more such conferences may subject such parent or guardian
68 to proceedings pursuant to Code Section 20-2-766.1 or referral to the Division of Family
69 and Children Services of the Department of Human Services for potential initiation of
70 proceedings alleging deprivation."

71

SECTION 5.

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