

House Bill 429

By: Representative Waites of the 60<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to discipline of students in elementary and secondary education, so as to  
3 require annual reporting of bullying incidents; to provide for criminal offenses; to provide  
4 for input into antibullying strategies by school councils; to provide for related matters; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
9 relating to discipline of students in elementary and secondary education, is amended in Code  
10 Section 20-2-740, relating to an annual report by local boards of education regarding  
11 disciplinary and placement actions and an annual study by the Department of Education, by  
12 revising subsections (a) and (b) as follows:

13 "(a) Each local board of education shall file an annual report, by August 1 of each year,  
14 with the Department of Education regarding disciplinary and placement actions taken  
15 during the prior school year. Such report shall classify the types of actions into the  
16 following categories:

- 17 (1) Actions in which a student was assigned to in-school suspension;  
18 (2) Actions in which a student was suspended for a period of ten days or less;  
19 (3) Actions in which a student was suspended for a period of more than ten days but not  
20 beyond the current school quarter or semester;  
21 (4) Actions in which a student was expelled beyond the current school quarter or  
22 semester but not permanently expelled;  
23 (5) Actions in which a student was permanently expelled;  
24 (6) Actions in which a student was placed in an alternative educational setting;  
25 (7) Actions in which a student was suspended from riding the bus;  
26 (8) Actions in which corporal punishment was administered; ~~and~~

27 (9) Actions in which a student was removed from class pursuant to subsection (b) of  
 28 Code Section 20-2-738; and  
 29 (10) Actions in which a student was disciplined for bullying, as defined by Code Section  
 30 20-2-751.4.

31 (b) For each category of ~~disciplinary or placement action~~ listed in paragraphs (1) through  
 32 ~~(9)~~(10) of subsection (a) of this Code section, the local board shall provide the following  
 33 information: the number of students subject to the type of disciplinary or placement action;  
 34 the age and grade level of such students; such students' race and gender; and the number  
 35 of students ~~subject to the type of disciplinary action~~ in each category who were eligible for  
 36 free or reduced price lunches under federal guidelines. For each action listed in paragraph  
 37 (9) of subsection (a) of this Code section, the local board shall also provide information  
 38 regarding the decisions of placement review committees and the disciplinary and placement  
 39 decisions made by principals or their designees. The data required by this Code section  
 40 shall be reported separately for each school within the local school system and collected  
 41 and reported in compliance with the requirements of 20 U.S.C. Sections 1232g and 1232h."

42 **SECTION 2.**

43 Said part is further amended in Code Section 20-2-751.4, relating to policies prohibiting  
 44 bullying, assignment to alternative school, and notice, by adding new subsections to read as  
 45 follows:

46 "(b.1) The local board of education shall require the principal of each school to regularly  
 47 report incidents of bullying which occurred in such school to the school council. Such  
 48 reporting shall not include any individually identifying information but shall only be  
 49 aggregated data relating to the number and type of bullying incidents and the types of  
 50 discipline imposed. The school council and the school principal shall work together to  
 51 develop and implement strategies to prevent bullying."

52 "(h) A student in grades six through 12 who commits the offense of bullying for the third  
 53 time in a school year shall be guilty of a misdemeanor. Such student who commits any  
 54 subsequent offense of bullying in such school year shall be guilty of a misdemeanor of a  
 55 high and aggravated nature."

56 **SECTION 3.**

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